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**FINAL ENVIRONMENTAL IMPACT STATEMENT  
FOR  
THE DESIGNATION OF A DISPOSAL SITE  
FOR DREDGED MATERIAL  
IN**

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**WESTERN  
LONG ISLAND SOUND  
WLIS III**

FEBRUARY 1982



**US Army Corps  
of Engineers**  
New England Division

FINAL  
ENVIRONMENTAL IMPACT STATEMENT

Designation of a Disposal Site for Dredged Material in Western Long Island Sound - WLIS III, Connecticut and New York.

The responsible lead agency is the U.S. Army Engineers Division, New England Division, Waltham, MA.

The review period will end 15 March 1982. If you would like further information on this statement, please contact Mr. David Tomey.

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## PREFACE

This document is concerned with the open water disposal of dredged material in the Western Long Island Sound (WLIS) region. The subject of this EIS has been partially addressed in a Draft Programmatic Environmental Impact Statement (DPEIS) which was issued in June 1981 and this Environmental Impact Statement (EIS) is tiered upon that document. The DPEIS identified and assessed potential open water disposal sites as well as generically assessed alternatives to open water disposal. It was concluded that Site "A," Bridgeport East, was the suitable potential open water site in WLIS in view of potential water quality and fishery impacts and public opposition to use of the Site "E," Eaton's Neck East Disposal site. Similarly, it was apparent that no alternatives to open water disposal, such as upland disposal, containment, incineration, etc., are currently viable on a regional basis. The economic need for a western site has evoked suggestions of a number of potential open water sites which are addressed in this document. In accordance with the National Environmental Policy Act of 1969 the proposal to designate a site during public review of the DPEIS has necessitated formal presentation of this information in the form of a Final Environmental Impact Statement (FEIS). This document has used the DPEIS as an information base where applicable. Review of this FEIS should be in concert with the DPEIS for the reader to have a better understanding of the issues and impacts.

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## SUMMARY

### A. Findings

This document addresses the designation of an open water regional disposal site in Western Long Island Sound. The closure of all sites in the Western Long Island Sound region has brought about the need for an economically feasible site in this region. In response to the expressed needs of the public, the Corps of Engineers in coordination with the States of Connecticut and New York is proposing to designate a regional disposal site in Western Long Island Sound (WLIS - III).

The impacts of open water disposal were generically assessed in the Draft Programmatic EIS for Disposal of Dredged Material in Long Island Sound. The impacts of the designation of WLIS - III were compared with the alternative Site A and a no designation action (i.e. the use of the existing Central LIS regional disposal site off New Haven, CT).

The environmental impacts of disposal at the WLIS III site and Site "A" were comparable considering the similar characteristics of the site. Disposal operations would cause a localized and temporary turbidity to the immediate area of disposal. There would also be short term and localized reduction in dissolved oxygen and releases of contaminants into the water column. Mixing and dilution by water at the disposal site would reduce these impacts on water quality to having a negligible effect. The displacement of contaminated harbor sediments would increase the contaminant level of the sediments at the disposal site. The majority of these contaminants would remain sequestered in the dredged sediment mound, making them unavailable to any biological resources. The surface sediment contaminant levels would achieve an equilibrium with those of the pore water and water column following biological and minor current disturbance of the surface sediments. Any released contaminants would be localized and quickly diluted.

Discharge of dredged material would bury benthic organisms, demersal fish and lobsters within the immediate discharge area. The loss of habitat and forage would be temporary and restricted to the affected discharge area. Recolonization would reestablish the benthic community which would be utilized by finfish and lobsters in the area. The short term and localized contaminant release expected during disposal operations may lead to bioaccumulation for some biological resources in the area. However, benthic studies have indicated that such accumulation is short term and is coincidental with the contaminant release in the water column. The lack of any noticeable adverse impacts at the nearby Eaton's Neck disposal site after many years of disposal suggests a low probability of potential problems. There is evidence that this disposal has enhanced the existing fishery by increasing benthic productivity and creating habitat. The creation of a disposal mound may require reorientation of conflicting dragging areas unknown at this time.

## Economics

The designation of a regional disposal site in Western Long Island Sound will have the effect of reducing the costs of maintenance dredging by up to 50 percent in several projects. In many instances this will allow the businesses involved to maintain economic viability.

### B. Conclusions

Based on currently available information and provided that the material is deemed suitable for open water disposal, the impacts of disposal at the WLIS III and Site A are believed to be short term and localized to the immediate discharge area. The environmental impacts of disposal of both areas are considered to be similar in nature and magnitude.

The WLIS - III site is the most economically advantageous when compared to the Site A and the no designation alternative.

### C. Areas of Controversy

Information based on input from the 27, 28 and 29 October 1981 public meetings pointed out the primary areas of controversy. The majority of the written and oral comments can be summarized into four major areas of concern:

- (1) Whether or not a site should be designated.
- (2) Potential movement of dredged material from the disposal site.
- (3) Potential impacts on water quality.
- (4) Potential impacts on fisheries.

The first concern (1) remains unresolved whereas the remainder have been addressed below and in Section V of this document.

#### Concern (2):

Analysis of the characteristics of the proposed disposal area and information in the existing literature suggest that significant sediment movement from the site would not be expected. The site's current regime (the mean magnitude and orientation of the current) as well as the fact that the area is a long term sediment accumulation area supports this conclusion. However, the site would be monitored under the Corps of Engineers' Disposal Area Monitoring System (DAMOS) to assess the stability of any deposited material.

Concern (3):

The impacts on water quality would be temporary and restricted to the immediate discharge area. The dredged material will have approval for open water disposal by the various appropriate State and Federal agencies. Disposal requires adherence to the ocean dumping criteria (Section 103 of the Ocean Dumping Act) and Section 404b guidelines of the Clean Water Act. In addition, the action must satisfy the requirements for Water Quality Certification by the State of Connecticut and the Interstate Sanitation Commission. This review would determine what mitigation measures if any, would be necessary to negate or minimize any potential impacts to the water quality.

Concern (4):

Provided that the dredged material is deemed suitable for open water disposal, the impacts to fisheries would be short term and localized to the immediate discharge area. A more detailed discussion maybe found in Section IV of this document.

D. Unresolved Issues

The unresolved issue is whether a regional disposal site should be designated in Western Long Island Sound. The controversy arises over the economic need of a disposal site designation which would be accessible for the majority of Western Long Island Harbors. Most of the harbors are located in the western end of the Sound and are not located in the vicinity to a disposal site. Designation of the proposed site has been opposed by Huntington and surrounding communities which are situated south of the site.

E. Environmental Requirements

Table 1 lists the Federal and State environmental statutes and requirements relevant to open water disposal. Federally proposed dredging projects must comply with Federal laws and Executive Orders and must be consistent with State coastal zone management and water quality certification programs.

TABLE 1

Relevant Federal and State Environmental Statutes and Requirements

Federal

National Environmental Policy Act as amended 42 U.S.C. 4321, et seq.  
Fish and Wildlife Coordination Act as amended, 16 U.S.C. 661, et seq.  
Endangered Species Act as amended, 16 U.S.C. 1531, et seq.  
Coastal Zone Management Act as amended, 16 U.S.C.  
Rivers and Harbors Act of 1899, 33 U.S.C. 401 et seq.  
National Historic Preservation Act of 1962, 16 U.S.C. 4321 et seq.  
Marine Protection Research and Sanctuaries Act of 1972, 22 U.S.C. 1401,  
et seq.  
Clean Water Act as amended, 33 U.S.C. 1251, et seq.  
National Shellfish Sanitation Program

State

Connecticut Coastal Management Act of 1978 (P.A. 78-152 as amended by  
P.A. 79-535)  
Connecticut Environmental Policy Act (Sections 22a-1 through 22a-1f,  
C.G.S.)  
Connecticut Water Quality Certification  
Water Quality Regulations of Interstate Sanitation Commission

## SECTION I. NEEDS AND OBJECTIVES

### A. Action

This FEIS describes the impacts of a proposal to designate an open water disposal site in the Western Long Island Sound (WLIS) region. The proposed site is referred to as WLIS III ( $40^{\circ} 58.8' - 41^{\circ} 00' \text{ N}$ ;  $73^{\circ} 27.8' - 29.5' \text{ W}$ ) and is shown in Figure 1. Discharge buoys would be located within the boundaries delineated in Figure 1. No discharge would occur outside this boundary. A clamshell dredge and bottom dumping scow would be used for dredging and disposal operations. The proposed site will service the ports and harbors within the Western Long Island Sound area as listed in Table 2.

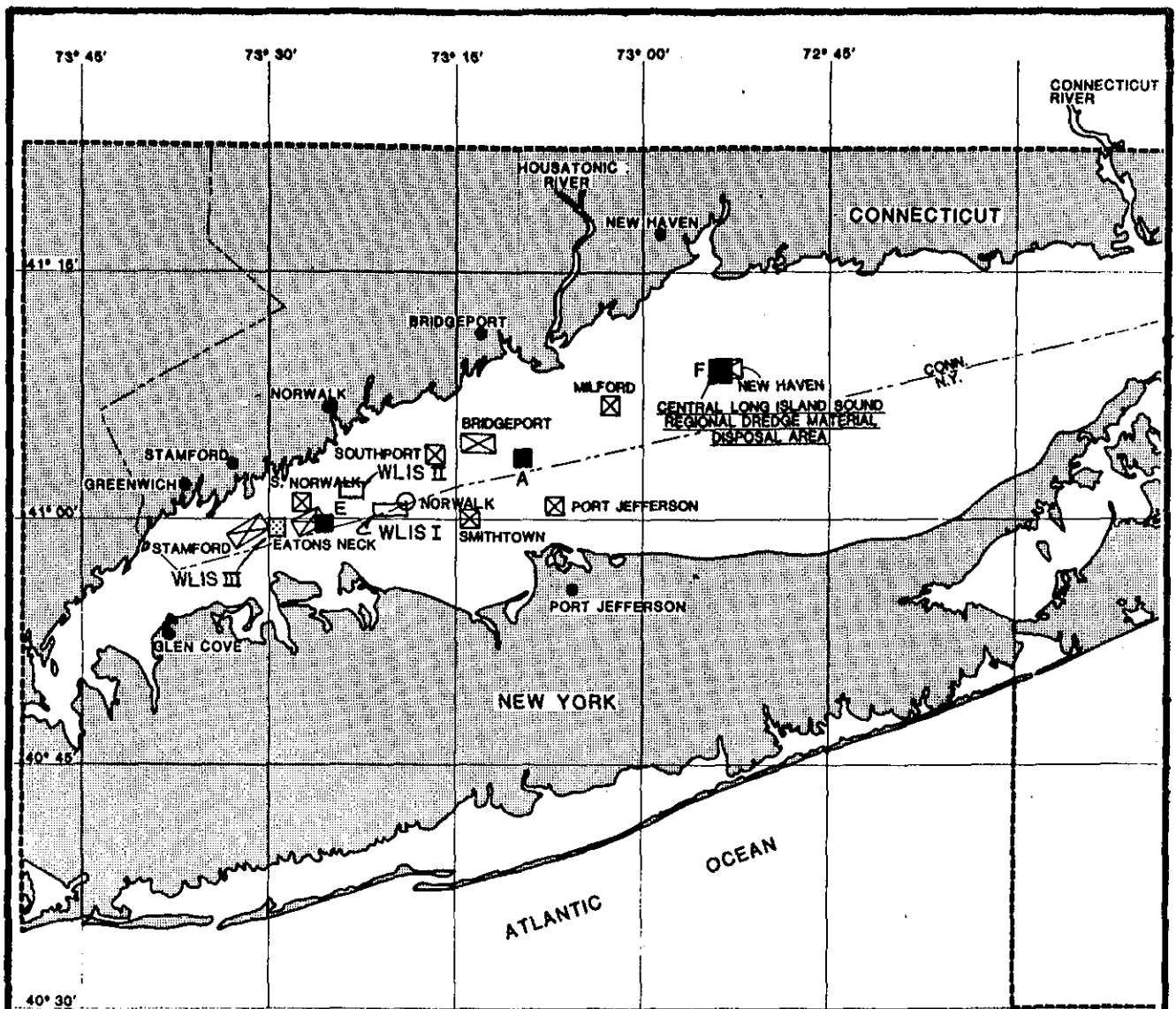
### B. Need for the Action

Over half of the Federally authorized navigation channels in Long Island Sound are located in the western basin. These harbors serve the economic and recreation needs of the highly populated and industrialized western Sound region. Maintenance and improvements of these waterways is necessary for the continued free access and socio-economic well-being of the region.

The recently issued DPEIS indicated that the presently viable alternatives to open water disposal (upland disposal, beach restoration, etc.) would only be available on a project specific basis. Unfortunately, technology has not advanced to the point where we can make full or at times even partial use of dredge material for constructive purposes. Engineering, economic, environmental and legal restrictions also severely limit their potential use.

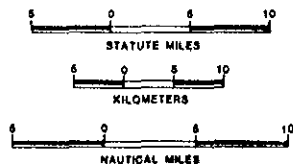
Presently it appears that open water disposal may be the only viable means of disposal for many projects provided all Federal and State requirements are met.

Concern over environmental issues and management problems associated with dredged material disposal in LIS has led to a decision in 1973 to close 15 of the 19 existing open water sites. The subsequent closure of the Eaton's Neck Site in 1974 has left the western LIS region without an economically viable disposal site. The harbors in this area must use the Central Long Island Sound regional site located near New Haven or the Mud Dump Site in the New York Bight. Most of these harbors are located in the western end of the western Sound where the population centers are concentrated and demand for harbor maintenance is great.



**KEY:**

- ☒ HISTORICAL DREDGED MATERIAL DISPOSAL SITES
- ◼ PROPOSED ALTERNATIVE DREDGED MATERIALS DISPOSAL SITES (DRAFT PEIS, JUNE 1981)
- OTHER POTENTIAL SITES (DAMOS AND OTHERS)
- ◼ PROPOSED SITE - WLIS III



**HISTORICAL & PROPOSED  
DREDGED MATERIAL  
DISPOSAL SITES**

FIGURE 1



TABLE 2

Federally Authorized Channels in Western Long Island Sound  
That Could Potentially Utilize the WLIS III Disposal Site

Connecticut

1. Greenwich Harbor
2. Mianus River
3. Stamford Harbor
4. Westcott Cove
5. Five Mile River
6. Wilson Point Harbor
7. Norwalk Harbor
8. Saugatuck River and Westport Harbor
9. Southport Harbor
10. Black Rock Harbor
11. Bridgeport Harbor
12. Housatonic River

New York

13. Port Chester Harbor
14. Milton Harbor
15. Mamaroneck Harbor
16. Echo Bay Harbor
17. New Rochelle Harbor
18. East Chester Creek
19. Little Neck Bay
20. Manhasset Bay
21. Hempstead Harbor
22. Glen Cove Creek and Harbor
23. Huntington Harbor
24. Northport Harbor.

The lack of a designated regional site in WLIS has led to a backlog of permit applications and near closure of many recreational marinas in the area. This has put a severe economic strain on the water related businesses in the area. The village of Mamaroneck, NY is an example of the hardship of not having a regional disposal site. The cost of proposed dredging of Mamaroneck Harbor by 23 permittees would be cut in half if they were able to use the proposed site. The cost of transportation to the Central LIS site is prohibitive to many of the smaller businesses in that harbor. The designation of a site in Western Long Island Sound would allow utilization by other permittees in a similar situation in the area.

## SECTION II. ALTERNATIVES

This section presents thirteen potential open water disposal sites available to the WLIS region. Five have never been designated or used as disposal sites. The remaining eight have been used but were closed to disposal subsequent to considerations mandated by the Clean Water Act of 1972. The thirteen sites are listed below:

1. Western Long Island Sound III (WLIS III)
2. Site "A," Bridgeport East
3. Site "E," Eaton's Neck East
4. WLIS I
5. WLIS II
6. Stamford
7. South Norwalk
8. Eaton's Neck
9. Norwalk
10. Southport
11. Bridgeport
12. Smithtown Bay
13. Port Jefferson

The locations of these sites are shown on Figure 1.

### A. WLIS III

The proposal to designate the WLIS III site is the result of joint meetings and correspondence between the States of New York (NY) and Connecticut (CT), EPA and NMFS with the Corps of Engineers. Designation of this site was the subject of three public meetings in CT and NY on October 27, 28 and 29, 1981. The site was chosen based on the current available site information. The impacts from use of this site are evaluated below and are discussed in more detail in Section IV.

### B. Site "A"

Site "A," Bridgeport East was first identified and assessed by Dames and Moore in Appendix A of the DPEIS. Based on the paucity of on-site or nearby resources, the predominantly fine sediments and, the low energy bottom currents, the site was assessed as suitable for WLIS, pending study by Corps of Engineers' Disposal Area Monitoring System (DAMOS). However, the site is situated at the extreme eastern end of the WLIS basin (see Figure 1) and its use would impose an economic hardship for projects in the western end of the basin. The Central LIS disposal site (Figure 1) is currently designated under the Interim Plan (NERBC, 1980) and DPEIS and could serve the needs of projects in that area.

#### C. Site "E"

Site "E," Eaton's Neck East, was also identified and assessed by Dames and Moore in Appendix A. They concluded that the site could be used for disposal of "clean" or "low potentially degrading" material with appropriate mitigation measures such as limiting summer disposal. However, concern for the existing on-site lobster fishery has removed this site from further consideration.

#### D. WLIS I, II

The DAMOS program identified two other potential sites in WLIS in a 1978-1979 survey. The sites included the WLIS I and WLIS II as shown in Figure 1. The WLIS I site was found to be an east-west directed trench with an intensive lobster fishery on its northern slope. It was therefore removed from consideration. Study of the WLIS II site revealed a mud bottom area at the toe of a slope having less conflict with fishery interests. However, it was determined at the recent public meetings that the site is located in a cable area used by the Northeast Utilities and the Long Island Lighting Companies. Both companies indicated that disposal in the area would conflict with the normal maintenance and viability of the cable. Therefore, this site was removed from consideration.

#### E. Alternative Site Nos. 6-13

The remaining eight historical sites (Nos. 6-13) were closed to dumping in 1973 as a result of coordination between State and Federal agencies subsequent to considerations mandated by the Clean Water Act of 1972.

#### F. No Action Alternative

The "no action alternative" in this case would mean that no open water disposal site would be designated in WLIS. Permit applicants and dredging programs would be required to use the Central Long Island Sound disposal site near New Haven or find another suitable alternative. The most likely suitable alternative would be a single use upland disposal site or sanitary land fill cover providing such a site was available or beach restoration if a site is available and the sediment met all engineering and environmental requirements. These alternatives, along with the no dredging/disposal alternative, are generically assessed in the DPEIS. Thus, three alternatives appear to be feasible and are assessed in this document (1) the designation of the WLIS III site; (2) the designation of the Site "A," and (3) no designation of an open water site in WLIS.

G. Evaluation of Feasible Alternatives: WLIS III, Site A and No Action Alternatives

Environmental:

Table 4 of this document compares the characteristics and resources of WLIS III and Site "A." Both sites have comparable substrates, bottom current regimes, water quality characteristics, and benthic communities. Except for the prime lobster fishery at the adjacent Eaton's Neck disposal site, both the WLIS III and the Site "A" appear to have comparable fishery use. Provided that all necessary Federal and State environmental requirements are met (Ocean Dumping Criteria, Section 404b guidelines of the Clean Water Act, and State Water Quality Certification) impacts at either site should be short term and localized to the affected discharge areas (Table 5). In comparison, a no action alternative, i.e. no disposal in Western Long Island Sound (WLIS), would mean that WLIS would not be subjected to the potential impacts listed in Table 5.

Economic:

It must be understood when analyzing cost alternatives of any dredging project that the costs will vary greatly from site to site. The size of the project (amount of material to be dredged and disposed of) and the distance to the dump site are two major determinant variables of costs. Many of the small marinas do not require a sufficient amount of dredging to achieve economies of scale. Economies of scale would come into full play only if a large enough number of units is being produced to make it worthwhile to set up a fairly elaborate productive organization." (from Economies: An Introductory Analysis by Paul Samulson.) How far the material must be transported is an extremely important factor discussed below.

The following figures are taken from actual bids for dredging work for Mamaroneck Harbor, New York. The object is to show that the distance material must be transported play a major economic role in the overall costs of a dredging project. According to this data the cost of removal and disposal of dredged material from Mamaroneck Harbor to the Central Long Island Sound site off of New Haven is \$186,122 based on an estimated 22,000 cubic yards and 100 mile round trip from Mamaroneck to Central LIS site. A bid was also given for the disposal of material at WLIS III site. At an estimated 24 mile round trip from Mamaroneck to WLIS III the estimated total cost would be \$94,161. Even though the per mile cost increases, the overall cost of the project would be cut in half (from \$186,121 to \$94,161). The cost of disposal to Site A would lie approximately in the middle of the aforementioned two because the distance between Mamaroneck and Site A (27 nautical miles (nm) one-way) is about midway between the 12 nm and the 50 nm trips to WLIS III and the Central LIS site respectively.

### SECTION III. THE AFFECTED ENVIRONMENT

#### A. WLIS III

##### 1. Physical and Chemical Environment

###### General Description:

The WLIS III disposal site (approximately W 73° 27.8'-29.5' Long.; N 40° 58.8'-41° 00' Lat.) is located within the triangle bordered by the Stamford disposal site on the west, the South Norwalk disposal site on the northeast and the Eaton's Neck disposal site on the east (Figure 2). It occupies an "east-west" oriented trench which ranges in depth from 115 feet in the valley to 80-90 feet along its upper sides. The general area is protected on the east by an extensive sandy ridge ranging from north of the Cable and Anchor Reef to Eaton's Neck on Long Island.

###### Physical Oceanography:

The general physical oceanography of Western LIS was discussed in the Appendix A of DPEIS. Briefly, east-west tidal currents are the dominant source of water movement in the Sound. There is a gradient of tidal current velocities from west to east. The western portions have the weaker currents because of their isolation from the open ocean. Maximum tidal velocities have been measured at three stations (EN-6b, EN-6c, EN-C, Figure 2) at or near the proposed disposal site (Bokuniewicz *et al.*, 1977a). Polar histograms of the stations indicate that the velocities vary from 0-15 cm/sec during flood tide in a westerly direction and 10-25 cm/sec in an easterly direction during ebb tide.

Tidal currents are superimposed on smaller estuarine currents. The more saline and dense sea water flows west from the eastern sound and underlies the easterly flow of less saline and dense water from the Western Sound. Measurements at the sites indicate that, at two meters above the bottom, a net westward flow of 1.5-5.5 cm/sec occurs. These velocities increase or decrease the on-site bottom currents depending on the direction of tidal flow. The site is in a sediment accumulation area which is indicative of the low current regime. Bokuniewicz *et al.* (1977b) estimated that the area in which WLIS III is situated has accumulated 200-400 g/m<sup>2</sup>/yr over the last 8000 years.

###### Water Quality:

A general description of the water quality of Long Island Sound may be found in Appendix A of DPEIS. Due to the basin configuration of the WLIS there is a low tidal exchange between its waters and the rest of the Sound. This limits the flushing action of western waters. The industrialization and population centers of the western portion of the Sound contribute to the large input of nutrients and other contaminants (sewage and industrial effluents) via the East River (Jay and Bowman, 1975). The

relatively isolated waters also allow a density stratification during the warm summer months. This factor leads to sporadic degradations of water quality such as plankton blooms or reductions in dissolved oxygen in the bottom waters. In spite of this scenario, the water is classified "A" by the Interstate Sanitation Commission of New York, Connecticut and New Jersey and is used for primary contact recreation, shellfish culture and development of fisheries. The general classifications of most harbors, however, are lower. This usually puts restrictions or closures on shellfish grounds.

Studies by the Marine Sciences Research Center (MSRC) of the State University of New York, Stony Brook, (1977) have indicated that there was no evidence that past disposal of dredged material contributed to the deterioration of water quality in the western LIS. Other factors such as river discharges containing sewage effluents were more related to the variation in chemical parameters.

#### Sediments:

Studies by Bokuniewicz et al. (1977a) have indicated that the sediments at the proposed disposal site is predominantly silt-clay (>70%) with some areas on the north and southwest corners containing as much as 40-50% sand. There presently exists no chemical data on the sediments at the site. However, studies by MSRC (1977) and Greig et al. (1977) included sampling stations that bordered on each side of the disposal site. The locations of these sites are shown in Figure 2. Table 3 exhibits the general metal levels that occur around the site. Station "R" occurs on the old Stamford disposal area. Station "F" is one corner of the old Eaton's Neck disposal site. All metal levels were classified "low" according to the standards of the Interim Plan (NERBC, 1980) except chromium, mercury, and nickel at Station "21" and zinc at Station EB-3. Neither of these stations have been dumped on by previous disposal operations.

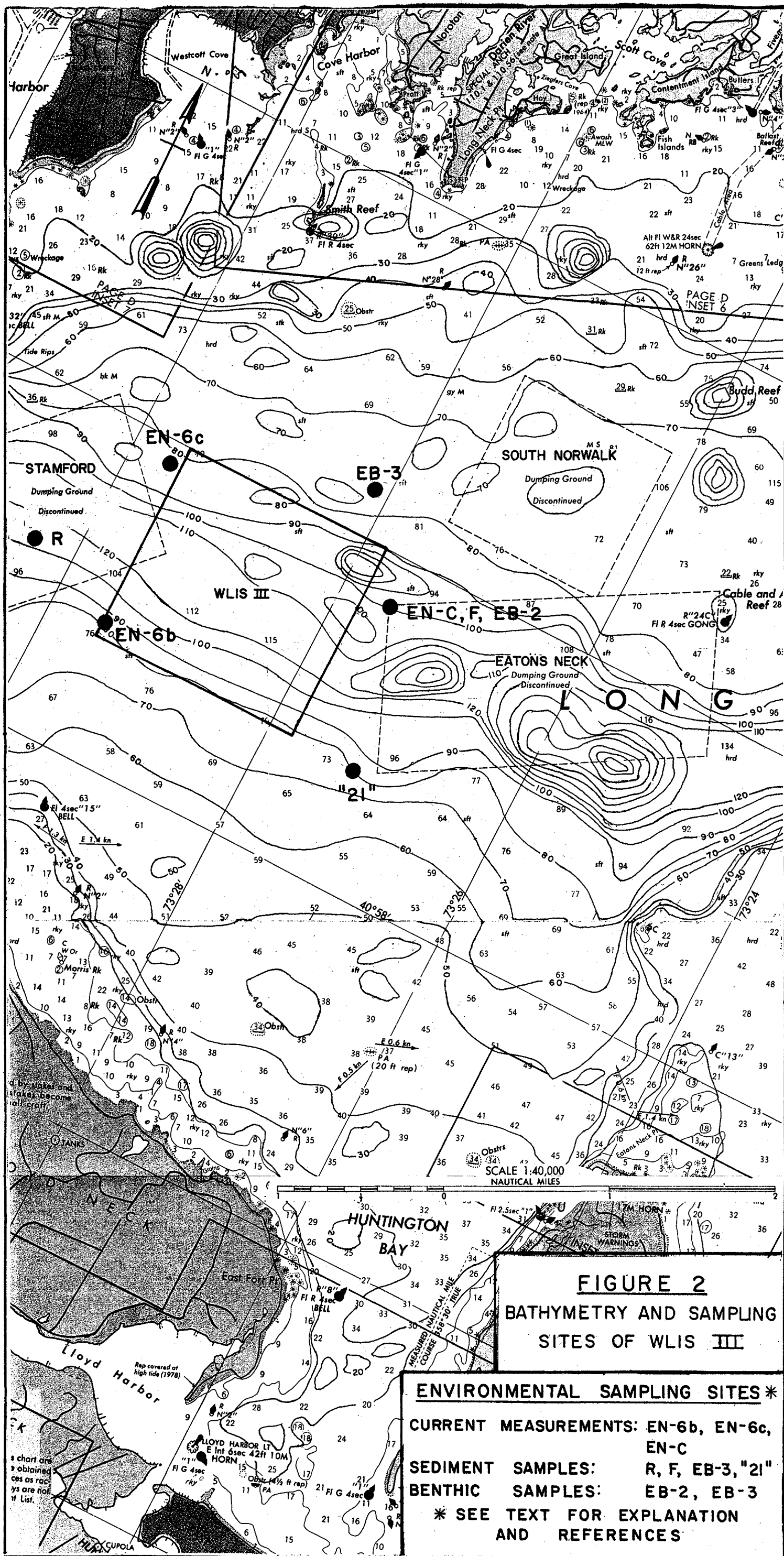




TABLE 3

Composition of Sediments Around Disposal Site WLIS III<sup>3</sup>

<u>Station</u>	<u>R<sup>1</sup></u>		<u>F<sup>1</sup></u>		<u>EB-3<sup>1</sup></u>	<u>21<sup>2</sup></u>
Parameter						
Silt/clay (% wt.)	37	80	92	94	96	>50%
Cr	19	63	25	30	83	160
Mn	447	345	719	635	521	523
Hg	0.27	0.18	0.12	0.10	0.29	0.6
Cu	32	76	28	29	150	122
Ni	11	24	11	21	24	201
Pb	14	52	24	25	55	77
Zn	90	171	92	100	227	23

<sup>1</sup>Marine Sciences Research Center (1977)<sup>2</sup>Greig et al. (1977)<sup>3</sup>Metals expressed in ppm by weight.

## 2. Biological Resources

### Benthic Community:

The benthic macro-faunal assemblage at the proposed site consists of mud-associated species (polychaete worms, bivalves, etc.) which are typically found in Long Island Sound (Middle Atlantic Coastal Fisheries Center, 1974). The species diversity (Shannon-Weaver Index) of the general area is low (0-1) when compared with the diversity at other areas (1-2) south and east of Station "21" (Figure 2; Reid *et al.* 1979). Species present at the proposed disposal site are assumed to be similar to those included in Appendix A which lists the species collected at Station EB-2 and EB-3, (Figure 2; Serafy *et al.* 1977). Both stations are proximate to WLIS III and have never been used for the deposition of dredged material. The most dominant species, in terms of persistence at three or more sampling times are the ribbon worms, Cerebratulus lacteus, Tubulanus pellucidus, the bivalve, Mulinia lateralis, and the polychaetes, Mediomastus ambiseta and Nephtys incisa at Station EB-2 and Tubulanus, the bivalves Mulinia, Nucula proxima and Nephtys at Station EB-3.

### Shellfisheries:

Oysters (Crassostrea virginica) are the most important commercial and recreational shellfish in WLIS. Mussels (Mytilus edulis) and hard clams (Mercenaria mercenaria) are also taken in the region but are less utilized. Shellfish beds occur north and south of WLIS III along the coastal areas (Figure 3). Most beds are in relatively shallow water, no deeper than 20-30 feet. However, a number of holding beds off of Norwalk, CT extend into waters 50-70 feet in depth.

Beds in Connecticut are generally more proximate to the site than those in NY. The northern border of the proposed site is about 1 nautical mile (nm) south of the nearest bed just off of the Darien River near Smith Reef. Other beds are farther away.

### Finfisheries:

The site and areas surrounding it provide forage and habitat for a number of demersal commercial or recreation finfisheries. Valenti and Peters (1977) of the New York Ocean Science Laboratory have collected a number of such species in the area. These species are listed in Appendix B. Windowpane flounder, winter flounder and red hake comprised 88 percent of the total catch. Windowpane flounder was more common in early and mid April, winter flounder during January and red hake during June.

Flounder and scup are commercially taken north of the proposed site from the Cable and Anchor Reef area and ending at buoy R "32" just off Shippan Point. Trawling is also done east of the Eaton's Neck Disposal Site and south of the 41° Latitude. Dragging in the area is limited by the presence of fixed gear such as lobster pots. Preferred recreational

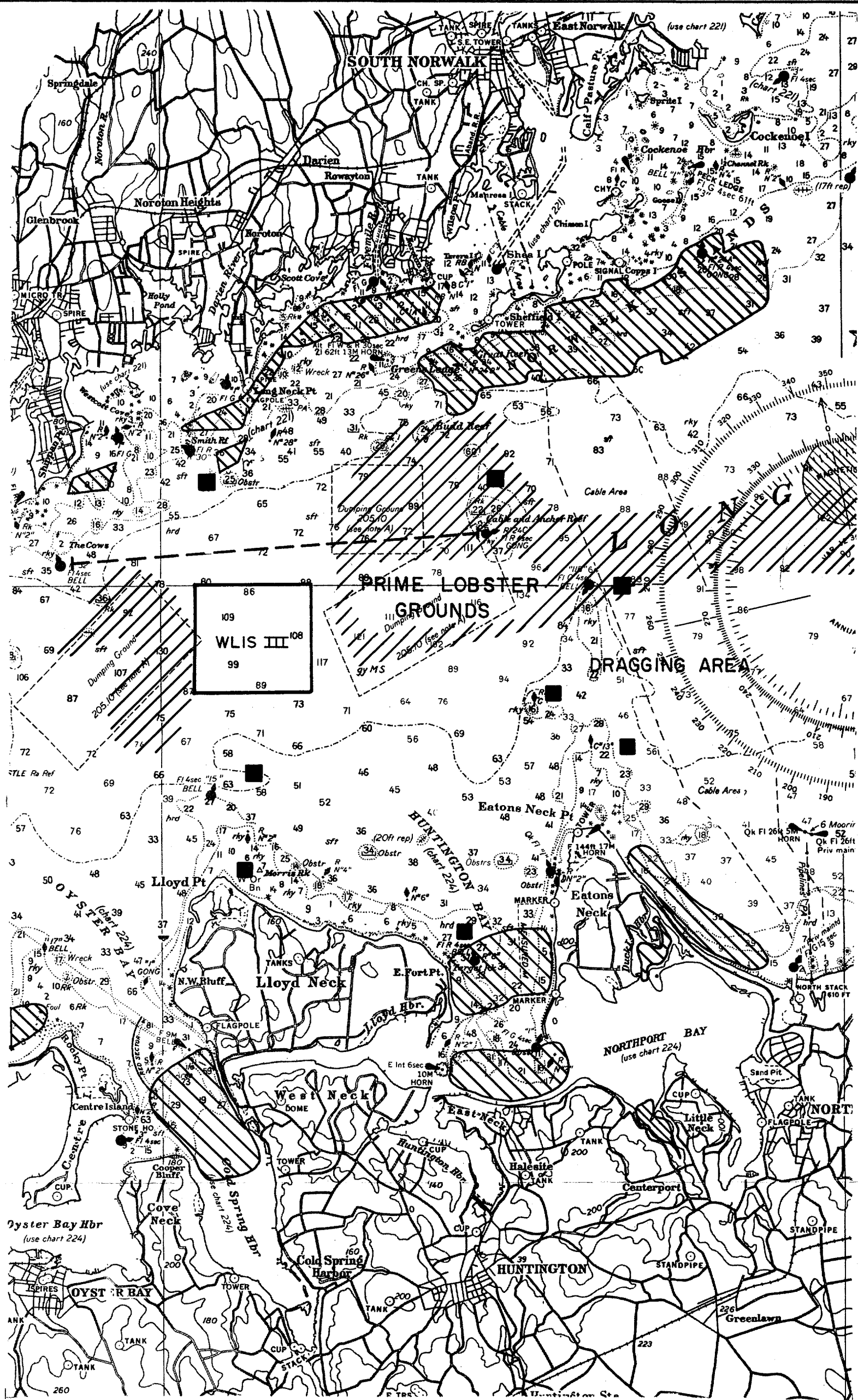
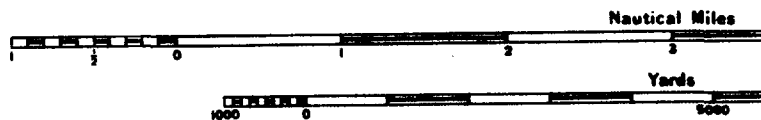


FIGURE 3

FISHERIES RESOURCES IN  
VICINITY OF W LIS III

- LEGEND**
- PROPOSED DISPOSAL AREA
  - ▨ SHELLFISH GROUNDS
  - ▩ LOBSTER CONCENTRATION AREAS
  - SPORT FISHING AREAS
  - COMMERCIAL DRAG



fishing areas in the vicinity of disposal site usually are located near reef areas (Figure 3) e.g. Smith Reef R "30", Cable and Anchor Reef R "24C", flasher buoys "11B," and "15," buoy C13, and Target and Morris Rocks (NYDEC, pers. comm.). Such areas provide habitat for striped bass, weakfish, scup, bluefish and flounder. The shoal area between buoy "11B" and Eaton's Neck is a particularly good sport fishery area. Scup are taken by party boats near buoy "15" just south of the proposed site.

The benthic organisms at the site and surrounding area are forage for the demersal fishes. Food habit studies by Valenti and Peters (1977) indicated that the windowpane flounder feeds almost exclusively on the shrimp Neomysis americanus. Winter flounder was less selective, feeding mostly on Anemone spp. and the polychaete Pherusa affinis.

#### Lobster Fishery:

Western Long Island Sound in general has the most productive lobster fishery in the entire Sound. The Connecticut Department of Environmental Protection indicates that between 1979-1981 approximately 33-43% of the lobster catches in the entire Sound were landed in the western Sound in Connecticut waters. Productivity is attributed to (1) the retention of the planktonic larval stages by the circular current patterns of Western and Central LIS (Lund and Stewart, 1970), (2) the achievement of sexually maturity before the minimum legal size limit is attained (Briggs and Mushacke, 1979) and (3) good habitat (Valenti & Peters, 1977).

Notwithstanding this productivity, the landings have recently declined in Connecticut, whereas in New York they have been less variable. The Connecticut State Department of Environmental Protection (CT DEP) indicated that the Connecticut landings have decreased 13% between 1979 and 1980 and 14% between 1980 and 1981. Conversely, the New York Department of Environmental Conservation (NY DEC) indicated a 3.6 % increase in landings from 1979 to 1980. The 1981 figures have not yet been released. A reason for the decline in the Connecticut landings is unknown.

Smith (1977) reported an egg abnormality in Long Island Sound lobsters from the 1976 Connecticut landings. This abnormality consisted of egg bearers with less than one fourth the normal egg complement of about 7,000-8,000 eggs. The incidence of abnormalities was more frequent west of the Connecticut River (9.9-14.4%) than east of that area (1.8%). More recently, the NY DEC has noted this abnormality is about 5% of its landings. The reason for the abnormality is not known.

Figure 3 indicates in general the lobster concentration areas and prime lobster habitat. Lobsters tend to concentrate in areas along topographic features (NUSC, 1979).

The heaviest concentration of lobster traps occurs in the Eaton's Neck Disposal Site, Cable and Anchor Reef, Budd Reef and along the 60 foot contour. The deep channel (Figure 3) east of the Eaton's Neck Disposal

site is used by Connecticut lobstermen beginning in August and from spring on by the NY fishermen. Fishing effort general increases during spring and peaks during the summer. It then falls off during autumn to a low in winter. Winter fishing is limited to areas east of Cable and Anchor Reef.

#### Endangered Species:

A list of the Federally designated endangered or threatened species that are potential transients in the Western Long Island Sound are listed in Table III A-2 of the DPEIS. With the exception of the shortnose sturgeon in the Connecticut River, their occurrence in Long Island Sound is rare. No critically listed habitat occurs at the site or in the vicinity of the site.

### 3. Socioeconomic Environment

Currently, the water-related economic activities of the Western LIS consists mainly of the waterborne commerce, commercial fishing and recreational boating. Of the 27 harbors and ports defined situated in Western LIS, 15 are involved in some form of the bulk commodity shipping industry. Primarily, the products handled are petroleum, sand stone and gravel. These harbors must be maintained adequately if the shipping industry is to survive and flourish.

Commercial fishing is another form of water-related economic activity in the LIS. This is primarily in the form of lobstering. According to the New York Department of Environmental Conservation and the Connecticut State Department of Environmental Protection the dollar value of the lobster landed in western LIS is approximately \$1,400,000 per year for Connecticut and New York areas combined. The finfishing industry is not as prevalent as lobstering in western LIS but does contribute to the economic activity in the area.

The other major water-related activity in western LIS is recreational boating. The New England River Basins Commission reported that an estimated 80,000 recreational craft are berthed in LIS bays and harbors. They also predicted that by 1990, 15,000 new slips and moorings will be required. Cost of this increase will occur in the western reaches of the Sound. Presently the demand for slips, moorings and facilities exceeds the supply. The trend in recreational boating is moving away from powerboats and towards sailboats. Sailboats require a deeper draft than powerboats, making the need to maintain adequate channels essential. It is important to recognize the fact that recreational boating, besides being a popular leisure activity, is also a significant economic factor.

#### B. Site "A"

A general description of the characteristics and resources at and around Site "A" may be found in Appendix A of the DPEIS. The more salient features and resources are summarized in Table 4 of this report.

TABLE 4

Comparison of Site Characteristics and Resources<sup>1</sup>

Site	WLIS III	A
Location	40° 59' N; 73° 28' W	41° 03.7' N; 73° 09.7' W
Depth Range	80-100 ft.	65-75 ft.
Sediment Type	Soft Mud	Soft Mud
Tidal Currents	0-15 cm/sec W (flood) 10-25 cm/sec E (ebb)	20-25 cm/sec W (flood) 17-38 cm/sec E (ebb)
Net Drift (non tidal)	1.5-5.5 cm/sec W	3 cm/sec W
Water Quality		
Stratification	mild	mild to strong
(worst case-summer)		
Suspended Solids	9.0x10 <sup>3</sup> - 1.0x10 <sup>4</sup> ug/l	1.0x10 <sup>4</sup> - 2.0x10 <sup>4</sup> ug/l
Bottom Dissolved	45% Saturation	35-40% Saturation
Oxygen		
Ammonium Levels	1.0-5.0 ug/l	1.0-5.0 ug/l
Benthic Organism	Mud Species, Low Diversity	Mud Species, Low Diversity
Fishery		
Shellfisheries	Oysters: 1 nm N.	Oysters: 1.7 nm N.
Finfisheries	Commercial dragging near northern border of site; sport fishing 1 nm N and S of site.	Commercial dragging for scup, flounder and fluke on site.
Lobsterfishery	Limited fishery on site; Prime lobster fishery East of site; Concentration area west of site.	Limited fishery on site; Lobster fishery concen- tration 0.3 nm West of Site.

<sup>1</sup>Based on Appendix A of DPEIS Cobb et al. (1977) and NUSC (1979)

## SECTION IV. ENVIRONMENTAL CONSEQUENCES

The generic short and long term impacts of open water disposal have been discussed in the DPEIS and Appendices A and B to that document. The detailed review of literature in both Appendices should be consulted to provide an informational background of the issues discussed below. A site assessment of WLIS III is presented below. The specific impacts would have to be addressed on a dredging project specific basis as indicated in the DPEIS. A generic assessment of Site "A" is presented in Appendix A. The major issues concerning use of Site "A" compared with WLIS III and no Federal action are summarized in Table 5.

### A. WLIS III

#### 1. The Action of Disposal

The primary physical effects at the disposal site are the direct result of disposal operations. A clam shell dredge will be utilized for most western LIS harbors. Sediments are excavated in cohesive masses deposited onto a scow and released through bottom opening doors at the disposal site. Use of the clam shell dredge maintains the cohesive properties of the material which reduces the mixing of the sediment with the water column. Studies by Gordon (1977) have indicated that the dredged material descends to the bottom and spreads laterally from the point of discharge until frictional forces cause it to halt. The extent of spreading is dependent upon several variables including depth of water and volume of material.

#### 2. Physical Effects

##### Turbidity:

Disposal operations will cause an increase of suspended solids in the water column due to mixing of unconsolidated sediments. Monitoring studies of suspended solids during disposal operations at the New Haven disposal site indicated approximately 1% of the sediments remained suspended in the water column after disposal of clam shell-dredged silty material. This turbidity will decrease as the fine particles settle out. Thus, such conditions are temporary and would be localized at the disposal site. Review of the literature by Stern and Stickle and studies by Peddicord and McFarland (1978) have concluded that most aquatic organisms including juvenile lobsters are not seriously affected by temporary exposure to increased suspended solids. The use of clam shell dredges will minimize the mixing and therefore minimize the turbidity levels.

### Sedimentation:

Another primary physical effect is the creation of a permanent topographical feature -- a sediment mound. Based on experience with past disposal sites the mound would encompass an area with a radius of about 600 feet around a discharge buoy. This would effectively cover about 0.04 square miles of benthic habitat at the site. Burial at the disposal point would kill most benthic organisms although deep burrowing forms might survive (Maurer et al., 1978).

Recolonization of the disposal site by adjacent populations would occur soon after disposal (McCall, 1977; Rhoads et al., 1978). Studies at the Eaton's Neck Disposal site have found that there is no statistical difference between the benthic populations on the deposited sediments and those on nearby non-disposal sediments (Serafy et al., 1977). This suggests that there would be no long term impact to the benthic productivity at the site. Any reduction in production and therefore reduced forage for bottom feeding predators would be short term. Rhoads et al. (1978) have suggested that based on their studies at the New Haven disposal site, periodic disposal can be managed to enhance productivity at the site. During the process of recolonization, there are three main series of successive benthic communities. Each series "sets the stage" for the establishment of the following series or community. The community of pioneering species actually has a high productivity because of the larger number of organisms and the shorter generation times. Keeping the community at this level of succession by periodic disposal could enhance the overall production of the area. However, the quality of forage, i.e. the type of species, would be different than the climax community.

### Potential for Sediment Movement:

A secondary physical effect of creation of the disposal mound would be an increased potential for movement of the dredged sediments. However, successive bathymetric studies at the Eaton's Neck disposal site have indicated that the deposited sediment is stable and has not significantly moved since disposal operations ceased (Cobb et al., 1977). This is due to the relatively low current regime in the area and the fact that, over the long term, sediment accumulates more than it erodes (Bokuniewicz et al., 1977b). Storm induced wave currents could increase the bottom velocities and cause minor erosion. However, the constantly changing wind direction typical of winter storms would not allow a significant bottom current to build up enough energy in any particular direction to transport sediment. The net drift of estuarine currents is in a westward direction. As indicated above, the velocity range is only 1.5-5.5 cm/sec and would not move a significant portion of the sediments. Based on this current regime no shoreward movement of sediments would be expected. Recolonization of the mound surface by tube forming benthic organisms would also tend to stabilize the sediment surface over the long term.



Should disposal occur at the proposed site, the short and long term monitoring of the currents and sediment movements would be carried out under the Corps DAMOS program.

### 3. Chemical Effects

#### Impacts on Water Quality:

A primary impact at the disposal site would be a local and temporary decrease in dissolved oxygen concentrations of the waters immediately overlying the affected area. Tidal flows bringing in oxygenated waters would tend to reduce the duration and severity of these effects. There also would be a short term release of sediment contaminants into the water column (Burks and Engler, 1978). Release of contaminants would depend on the nature of the sediment. The potential of such releases can be indicated by the Liquid Phase Chemical Analysis, otherwise referred to as the "elutriate test." This test is explained in Appendices B and C of the Environmental Protection Agency (EPA)/Corps of Engineers (CE) (1977) guidelines for ocean dumping criteria under Section 103 of the Ocean Dumping Act. The test approximates a worst case analysis by mixing the sediments with the water column and thereby simulates hydraulic dredging conditions.

The elutriate is supernatant tested for various contaminants and is compared with receiving water and current water quality criteria (EPA 1976, 1980). The minimal mixing of the clam shell dredged sediments and dilution by the water column reduces released contaminants to levels below water quality criteria.

Monitoring of water quality during disposal operations has indicated that releases are short term and localized (Wright, 1978).

#### Impacts on Sediment Quality:

Disposal of most dredged sediments from the Western Long Island Sound harbors would permanently elevate the sediment contaminant levels at the disposal site (see Table 3). The majority of these contaminants would remain sequestered in the sediment mound as long as the sediment environment remains anaerobic. Most metals are bound to the organics, sulfides, and particulates of the sediments and would remain unavailable in a solid form as long as the mound remains undisturbed (DPEIS, Appendices A, B). However, the surface sediments of the mound are adjacent to the water column so that sporadic disturbances by short term, localized currents or biological activity (microorganisms, burrowing, sediment feeding, etc.) could cause minor releases into the pore water and water column. Any such releases would be quickly diluted by the water column or adsorbed by the simultaneously forming ferrous oxides and therefore rendered harmless. Eventually the sediment contaminant levels down to the depth limit of biological activity (10-25 cm) would reach an equilibrium with the water column. The contaminants below this depth would remain sequestered.

## Chemical Effects of Organisms:

Recent amendments to the Ocean Dumping Act now require that ocean dumping criteria be used to evaluate disposal operations in Long Island Sound for projects in excess of 25,000 cubic yards of material. This may include the toxicity or bioassay test and the uptake or bioaccumulation tests as described in the EPA/CE Manual (1977). Briefly the bioassay test involves the exposure of appropriate sensitive organisms (usually representative feeding types) to the three phases of dredged material likely to cause impacts. The liquid phase is related to the release of toxicants into the sediment pore water or water column; the suspended solid phase is related to the suspended particulates; and the solid phase is related to the actual sediment itself. Mortality of the exposed organisms is statistically compared to that of organisms exposed to a similar but not previously dumped reference sediment. The bioaccumulation test involves a statistical comparison of tissue contaminant levels of the organisms exposed to the dredged sediment (usually survivors of the solid phase testing) with organisms exposed to the reference sediment. Such tests would be utilized in determining whether a particular dredge sediment is acceptable for open water disposal.

Monitoring studies in the field have indicated that mussels nearby a disposal site have accumulated some contaminants during disposal operations (Arimoto and Feng, 1980; Stout and Lewis 1978). However, tissue levels returned to background levels soon after disposal operation ceased. It is apparent that the accumulation is associated with releases into the water column and is therefore a short term phenomenon. When the water quality returns to background levels the organisms would depurate the contaminants. This phenomenon has occurred with polychlorinated biphenyls (PCBs) (Arimoto & Feng, 1980). Further, the authors concluded that the PCB levels were more related to river discharge than the disposal operations.

If a sediment is determined to be suitable for disposal in Long Island Sound and the contaminant levels indicated by bulk analysis are of concern, certain mitigation measures may be taken to avoid any potential of impact.

A measure that has been used in the past at the Central Long Island Sound disposal site is "capping." This involves placement of suitable material on top of the mound to prevent any exposure of the contaminants to the water column. Monitoring of past capping operations have indicated that the procedure is viable. Another variation of this is the sequencing of disposal operations. This works well with improvement and maintenance projects. The more contaminated inner harbor is dredged first, thereby allowing the less contaminated sediments to be placed on top. Other measures are cited in Appendix A, DPEIS.

Water quality certification by the State of Connecticut would also be required. This is done by formal application to the Connecticut Department of Environmental Protection for a Water Quality Certificate. Avoidance of impacts to sensitive life stages or migration is usually stipulated as a requirement of certification. This measure would also serve to reduce potential impact to nearby resources. In addition, the water quality requirements of the Interstate Sanitation Commission must be adhered to.

#### 4. Impacts to Fisheries

##### Shellfisheries:

No impacts to the extant shellfish beds located north and south of the proposed disposal site are expected. The disposal site is situated in a trough-like basin where bottom currents are low in magnitude and oriented in an east-west direction. No shoreward movement of sediments or contaminants is anticipated.

##### Finfisheries:

Finfish which use the disposal site as habitat or its benthic organisms for forage would be affected by disposal operations. Such habitat and forage would be temporarily lost upon disposal. This loss would be minimal and localized to the immediate disposal site. Benthic eggs, larvae, juveniles, as well as many adults within the affected 0.04 square mile disposal area would perish. Mobile forms not directly dumped on would be expected to avoid the immediate disposal area and would therefore survive. The temporary increase in suspended solids during disposal operations has not been shown to have an appreciable adverse affect on finfish. Stern and Stickle (1977) concluded that most field investigations on the effects of dredging and disposal operations on fishes, their patterns of seasonal occurrence, abundance, and species diversity generally remained similar to that of control areas where no such operation occurred. The findings of Valenti and Peters (1977) concerning the demersal fish populations at the Eaton's Neck disposal site have supported this conclusion. Commercially important species such as winter flounder, tautog, and silver hake ranged from equal to or greater than abundance at the disposal site as compared to a control station one mile north of the site. It is apparent that the long term disposal operations have not adversely affected demersal fish habitat at the site and may have actually enhanced its productivity.

There would be a temporary and local loss in forage for species which use the proposed disposal site. The benthic productivity of adjacent areas could provide similar habitat and forage for the survivors without overcrowding or over-exploiting their food supplies.

Any tow areas within the disposal area may have to be reoriented to accommodate the disposal and monitoring operations. The established tow line near the northern border of the proposed site should not be affected.

Bioassay/bioaccumulation tests would indicate the potential of a particular dredged material to cause toxic effects or uptake of contaminants. However, field bioaccumulation studies of bottom fish near or on disposal sites have not indicated any effects. Monitoring of mercury and chromium levels in the edible portions of the tissue of English sole (*Parophrys vetulus*) prior to and following disposal activity in Puget Sound, Washington indicated no apparent differences in levels (Teeny and Hall, 1977). Studies in the New York Bight Mud Dump have indicated that mercury, cadmium, PCB and pesticide levels in the tissues of the whiting (*Merluccius bilinearis*) and red hake (*Urophycis chuss*) were not significantly different from specimens collected at a reference area 10 miles distant from any Bight Disposal activity (Lee and Jones, 1977). Tissue contaminant levels in all cases were below FDA action levels (where such levels have been established). Short and long term monitoring of uptake by mussels at the proposed disposal site would be carried out under the DAMOS program before, during and after disposal. Such monitoring would indicate potential problems of bioaccumulation by prey species.

#### Lobster Fishery:

The proposed disposal site also provides habitat and forage for a small portion of the lobster fishery in western LIS. Any lobsters within the affected 0.04 square mile impact area during operations could be buried. Available information indicates that the area is not as heavily used as the adjacent prime fishery to the east at the Eaton's Neck disposal site (Figure 3). This prime habitat should not be affected by disposal operations to the west since the tidal currents in the area are low (<30 cm/sec) and a minor net drift occurs in a westward direction.

Disposal operations would cause an increase in suspended solids at the site. Salla *et al.* (1968) ran a series of five laboratory experiments subjecting lobsters to various concentrations of sediments from Wickford and Providence Harbors and kaolin clay for various time periods. Mortalities were not related to suspended sediment concentrations. It was concluded that mature lobsters can tolerate concentrations of suspended material equal to or greater than those resulting from the discharge of dredged sediment at the site with no adverse effects. One of the five experiments exhibited mortalities with sediments from the Providence River. This was attributed to some unidentifiable toxic component exclusive of the concentration of suspended sediments. Studies by Peddicord and McFarland (1978) found no mortalities when juvenile lobsters were exposed to contaminated dredged material at fluid mud concentrations (20 g/l) for a period of 25 days. One lobster displayed a molting abnormality. The suspended solid concentrations would be short term, localized to the disposal site and lower than those used in the above

laboratory studies. Thus, these studies utilized greater than worst case conditions which are unlikely to occur for clamshell-dredged sediments.

Theoretically, there is a potential for short term bioaccumulation of sediment contaminants released during disposal operations. However, this must be considered a worst case episode. Review of the literature does not indicate bioaccumulation by lobsters and other crustacea at the disposal sites. Teeny and Hall (1977) reported that the mercury and chromium levels in the Alaska and Oregon pink shrimp (Pandalus borealis and P. jordani) and the spot shrimp (P. platyceros) at the Puget Sound disposal site were not significantly different from a reference site before and after disposal operations. Studies by the Middle Atlantic Coastal Fisheries Center (MACFC, 1976) on bioaccumulation in lobsters at the New London Disposal site indicated no systematic changes in the heavy metals silver, cadmium, copper and zinc prior to and after 10 months of disposal. Levels of chromium, nickel and lead were below detection limits. The tissue levels of heavy metals in lobsters collected at the Eaton's Neck disposal site were compared with lobster collected from a "non-disposal" station 2.7 nm southwest of the disposal site (Cobb et al., 1977). No differences in heavy metal levels were observed. Metal levels were below detection limits in some instances and therefore no statistical conclusions could be drawn. Higher concentrations were found in the digestive diverticulum (a non-edible portion of the lobster) when compared with data at other disposal sites but were within the range of reported metal levels for the genus Homarus (Bryan, 1968).

Studies by Valenti and Peters (1977) have indicated that the lobster population at the Eaton's Neck disposal area was doing very well in spite of the years of disposal activities that occurred at the site. In fact, Cobb et al. (1977) concluded that the abundance of suitable sediments (mainly dredged material) building rubble, and other materials for burrow construction is probably responsible for the abundance of lobsters. The benthic population must also be considered adequate and healthy to support the lobster population.

There is no evidence that the decline in Connecticut landings or the incidence of egg abnormalities (Smith, 1977) was a result of dredged material disposal.

##### 5. Endangered Species

The presence of an endangered species at the disposal would be rare and accidental. Since the site has not been designated as critical habitat and is considered as potential habitat, disposal operations would not jeopardize the existence of any designated species.

## 6. Socioeconomic Effects

The opening of the dump site WLIS III would alleviate many of the economic pressures on the users of the Western Long Island Sound. One of the major cost factors of a dredging project is the distance that the dredged material must be transported in order to be dumped. A long trip to dump material involves heavier barges and tugboats, overtime and the possible idleness of the dredge. The opening of WLIS III would decrease the transportation distance for all the communities in Western LIS. As shown in Section II the cost of dredging would be cut practically in half for the town of Mamaroneck. It is assumed that this will be typical of the saving that other harbors in WLIS would incur.

It is necessary to open a site in WLIS in order to economically maintain all the harbor channels. This is important for both the shipping industry and the recreational boating industry. If the site is not opened, the shipping industry may be discouraged from operating in the area due to high dredging (channel maintenance) costs. The private marina owners stand to lose their business due to those same costs.

### B. Site A, Bridgeport East

The generic impacts of use of this site are addressed in Appendix A. A comparison of the Environmental and Economic Impact of designation of sites WLIS III, Site A and no action (no designation of a disposal site in WLIS) are summarized in Table 5. Non-designation would mean use of the designated Central LIS site near New Haven.

TABLE 5

## Summary of Impacts of Disposal in Western LIS

	WLIS III	Site A	No Action (Disposal at the Central LIS Site)
<u>Environmental</u>			
Topographical	Creation of sediment mound.	Same as previous column.	No impact to Western Long Island Sound (WLIS).
Water Quality	Localized turbidity short term release of sediment contaminants.	Same as previous column.	No impact to WLIS.
Sediment Quality	Increase in sediment contaminants - most sequestered in sediment mound.	Same as previous column.	No impact to WLIS.
Benthos	Burial of habitat. Temporary loss of benthic productivity; potential short term bio-accumulation of released contaminants by filter feeders; long term enhancement of productivity.	Same as previous column.	No impact to WLIS.
Fisheries	No impact on shell-fish grounds. Burial of finfish & lobsters at dumping point. Potential short term bio-accumulation of released contaminants; potential necessity for reorientation of dragging areas; Potential habitat creation and potential long term enhancement of productivity.	Same as previous column.	No impact to WLIS.

TABLE 5 (Cont'd)

	WLIS III	Site A	No Action
<u>Economic</u>			
Travel distance (from Mamaroneck)	12 nm	27 nm	50 nm
Hardship to Applicant	Much less -- shorter towing distance -- lower costs -- easier for the smaller private marina owner.	Roughly inter- mediate between WLIS III and No Action.	Could possible result in the closing of many small marinas due to high costs. Also be detrimental to the shipping industries -- boat maintenance.
Total Cost (from Mamaroneck)	94,161	159,501*	186,121

\*interpolated value



## SECTION V. COORDINATION

Coordination on the proposed action began with responding to comments on the Draft Programmatic EIS for the Disposal of Dredged Material in Long Island Sound which evidenced the need for a disposal site in Western Long Island Sound.

The first action in responding to the public interest was a meeting convened on 18 August 1981 by concerned State and Federal agencies. The purpose of the meeting was to summarize the expressed needs of the public and to scope out procedures to meet those needs. The following agencies were present at this meeting:

Corps of Engineers  
New England Division  
New York District  
Waterways Experiment Station, Vicksburg, MS

U.S. Environmental Protection Agency  
Region I, Boston, MA  
Environmental Research Lab, Narragansett, RI

National Marine Fisheries Service  
Northeast Region, Gloucester, MA  
Milford Research Lab

U.S. Fish and Wildlife Service  
Newton Corner, MA  
Concord, NH

State of Connecticut  
Dept. of Environmental Protection  
Marine Science Institute, Groton, CT

State of New York  
Dept. of Environmental Conservation

It was decided that the public needs should be addressed and the potential for a regional disposal site be explored.

A joint State of Connecticut/Corps of Engineers Public Notice was released on 2 October 1981 announcing that Public Meetings would be held to consider potential disposal sites in Western Long Island Sound. The public notice was distributed to approximately 1400 agencies, organizations and individuals within Connecticut and New York.

On 22 October, the New England Division, Corps of Engineers met with representatives of the Connecticut Department of Environmental Protection and the New York Department of Environmental Conservation to further discuss potential disposal areas in Western Long Island Sound.

Primary considerations were the lobster fishery and water quality impacts. A mutually acceptable site was identified in the area located between the historic Eaton's Neck, South Norwalk and Stamford disposal sites.

Three public hearings on the needs and potential for disposal sites were held on 27, 28 and 29 October 1981 in Norwalk, CT, Huntington, NY and Mamaroneck, NY, respectively.

Strong interest was demonstrated by opponents and proponents at the Huntington and Mamaroneck meetings, respectively. Oral and written statements were received. A full transcript for each meeting was taken and placed in the record.

The draft EIS was sent to approximately 600 separate entities including Federal, State and local agencies, private institutions and private individuals requesting review and comments. Following is a list of those entities sent a copy of the EIS for review and comment.

#### Federal

- U.S. Coast Guard
- EPA
- National Marine Fisheries Service
- Department of Commerce
- Department of the Interior
- U.S. Fish and Wildlife Service
- Department of Agriculture
- Department of Justice
- Department of HUD
- Department of Energy
- U.S. Navy
- Food and Drug Admin./PHS
- Bureau of Land Management
- Merchant Marine Fisheries Committee
- Committee on Environment and Public Works
- NOAA

#### State

- N.Y. Dept. of Environmental Conservation
- N.Y. Parks and Recreation Agency
- N.Y. Dept. of Law - Attorney General
- N.Y. Office of the Governor
- Interstate Sanitation Commission
- L.I. Regional Planning Commission
- Regional Marine Resources Council
- Environmental Management Council
- Tri-State Regional Planning Commission

State (Cont'd)

Conn. Office of Policy and Management, Comprehensive Planning Division  
Conn. Dept of Environmental Protection  
Conn. Coastal Area Management  
Conn. Dept of Health Services  
Conn. A-95 Coordinator  
Conn. Dept. of Transportation  
Conn. Office of the Governor  
R.I. Dept. of Environmental Management  
R.I. Dept. of Administration  
R.I. Office of Governor  
R.I. Dept. of Natural Resources  
R.I. Dept. of Health  
R.I. Historic Preservation Commission  
R.I. Coastal Resources Center

Local Agencies

Nassau County Agencies

Dept. of Health  
Planning Commission  
County Legislator

Suffolk County Agencies

Dept. of Health  
County Legislator  
Cooperative Extension Service

Westchester County Agencies

Division of Environmental Planning  
Dept. of Health  
Dept. of Public Works  
  
Town of Huntington, New York  
Town of Babylon, New York  
City Island, NY Chamber of Commerce  
N.Y. City Dept. of City Planning  
Village of Sea Cliff, New York  
Village of Poquott, New York  
Town of Northport, New York  
Town of Smithtown, New York  
Town of Manhasset, New York  
City of Glen Cove, New York  
Village of Port Jefferson, New York

### Local Agencies (Cont'd)

Village of Floyd Harbor, New Yorkk  
Municipality of Ashroken, New York  
Village of Mamaroneck, New York  
Municipality of Islip, New York  
Municipality of New Rochelle, New York  
City of Rye, New York  
Bridgeport, Connecticut Area Chamber of Commerce

### Private Organizations

Huntington Baymen's Association  
The Long Island Fishermen  
North Fork Environmental County  
Long Island Marine Contractors Association  
Conservation United for Long Island  
North Creek Association  
Fisher's Island Lobstermen Association, Inc.  
New York Sport Fishing Council  
Save Our Stripers, Inc.  
League of Women Voters of Riverhead-Southold  
The Fisher's Island Civic Association  
Friends of Long Island  
Nassau Hiking and Outdoor Club  
Huntington Anglers  
N.Y.S.M.E.A.  
Long Island Friends of Clearwater  
Huntington Angler Club  
Marine Environmental Council of Long Island Sound  
ACTION  
Federated Conservationists of Westchester County, Inc.  
Aqua Dredge, Inc.  
Consolidated Edison Co. of New York  
Latham Sand and Gravel  
Long Island Farm Bureau, Inc.  
Sound Surf Fishing Company  
Friends of the Earth

10 Libraries

450 Private Individuals

Comment letters on the Draft EIS were received by the following elected officials, agencies, organizations and individuals. The commenters are listed according to Federal, State, county/local, private interests. Each is given a code designation for identification and cross-referencing: FC (Federal Congressional), F (Federal Agency), SC (State Congressional), S (State Agency), L (County/Local), and P (Private). The order of appearance in each subdivision denotes order of receipt in this office.

#### Federal Elected Officials and Agencies

FC1: Richard L. Ottinger, U.S. House of Representatives, 24th District, NY  
FC2: Daniel Patrick Moynihan, U.S. Senate, NY  
FC3: Sam Gejdenson, U.S. House of Representatives, 20th District, CT  
FC4: Gregory W. Carman, U.S. House of Representatives, 3rd District, NY  
FC5: Christopher J. Dodd, U.S. Senate, CT  
F1: U.S. Environmental Protection Agency, Region I, Boston  
F2: U.S. Army Corps of Engineers, N.Y. District, NY  
F3: Sea Grant Advisory Service, NOAA, Cornell University Cooperative Extension  
F4: U.S. Department of Commerce, NOAA, Washington  
F5: U.S. Coast Guard, Third C.G. District, NY

#### State Elected Officials and Agencies

SC1: John M. Perone, Assemblyman 91st District, NY  
SC2: Joseph R. Pisani, State Senate, 36th District, NY  
SC3: James J. Lack, State Senate, 2nd District, NY  
S1: Connecticut State Historic Preservation Officer  
S2: Connecticut State Department of Transportation  
S3: Interstate Sanitation Commission  
S4: Rhode Island Statewide Planning Program  
S5: Rhode Island Historic Preservation Commission  
S6: Connecticut Department of Transportation, Bureau of Waterways  
S7: Connecticut Department of Health Services  
S8: Connecticut Department of Environmental Protection

#### County/Local Elected Officials and Agencies

L1: City of New Rochelle, NY  
L2: City of New Rochelle, Department of Human Services  
L3: Village of Port Chester, NY  
L4: Town of Rye, NY  
L5: Town of Oyster Bay, NY, Department of Public Works  
L6: Village of Northport, NY  
L7: County of Suffolk, NY, County Executive  
L8: Suffolk County Legislature, Jane Devine, 17th District  
L9: Suffolk County Legislature, Robert J. Mrazek, 18th District  
L10: Suffolk County Legislature, Ferdinand J. Glese, 5th District

County/Local Elected Officials and Agencies (Cont'd)

- L11: Nassau County Department of Health
- L12: Village of Bayville, NY
- L13: Town of Huntington, NY, Conservation Board
- L14: Town of Huntington, NY

Private Organizations and Individuals

- P1: Shore Acres Point Corporation, Mamaroneck, NY, Daniel S. Natchez
- P2: Nichols Yacht Yards, Mamaroneck, NY
- P3: Sheldrake Yacht Club, Mamaroneck, NY
- P4: Wright Island Marina, New Rochelle, NY
- P5: Victor J. Fink, Mamaroneck, NY
- P6: Anthony Patrick Porco, Deer Park, NY
- P7: Polychron Marina Co., New Rochelle, NY
- P8: Bohmert Bros. Marine Services
- P9: Save Our Port, Piscataway, NJ
- P10: Neptune Boat Service, Inc., New Rochelle, NY
- P11: Anthony Patrick Porco, Deer Park, NY
- P12: International Union of Operating Engineers, Local 25, Marine Division
- P13: Concord Hill Civic Association, Inc., Huntington, NY
- P14: Durland Scout Center - Westchester - Putnam Council, B.S.A.
- P15: David Carsen
- P16: Northeast Utilities, Berlin, CT
- P17: Richard Shalvoy, Babylon, NY
- P18: Robert N. Olsen, New Rochelle, NY
- P19: Peter J. Eliseo, Garden City, NY
- P20: Author Unknown
- P21: Montauk Surfcasters Association, Montauk, NY
- P22: Gregory and Helen Wist, Northport, NY
- P23: Action for Preservation and Conservation of the North Shore of Long Island
- P24: Mamaroneck Boats and Motors, Mamaroneck, NY
- P25: Robert G. Sigety, New York, NY
- P26: C. Birge Sigety, Mamaroneck, NY
- P27: Elizabeth R. Pennington, Mamaroneck, NY
- P28: Mr. and Mrs. Michael Yon, New York, NY
- P29: Cornelius Sigety, New York, NY
- P30: Jerry Shapiro, Mamaroneck, NY
- P31: Peter J. Reale, Mamaroneck, NY
- P32: Imperial Yacht Club Inc., New Rochelle, NY
- P33: Walter J. Blogoslawski, Milford, CT
- P34: Long Island Sound Taskforce of the Oceanic Society
- P35: Connecticut Commercial Fishermans Association, Fairfield, CT
- P36: Masthead Cove Yacht Club, Inc., Huntington, NY
- P37: Save Our Stripers, Inc., Massapequa Park, NY
- P38: Environmental Action, SUNY, Stony Brook, NY
- P39: North Fork Environmental Council, Inc., Southold, NY
- P40: Echo Bay Boat Yard, Inc., New Rochelle, NY
- P41: Long Island Oyster Farms, Inc., Greenport, NY

An expedited 30 day comment period was requested from and approved by EPA and the comment period ended on 18 January 1982. Seventy-nine comments were received to the draft EIS. In addition 36 comments were received which did not address the draft EIS specifically. These comments were considered but not included in this final document.

Comments in favor were generally concerned with economic interests and the need for careful site management to protect the environment. Opposing comments cited potential water quality and fisheries impacts as their prime concern.

Individual comments and responses are included in the following section while comment letters in their entirety are attached as Appendix C to this document. There were some DEIS comment letters that were received in the office too late to be responded to in the final EIS. These are added to the end of Appendix C for the record.

FEDERAL

FC1: Congressman Richard L. Ottinger, 24th District, NY - 22 December 1981

General Comment.

RESPONSE:

The EIS preparation staff thanks you for your review and acknowledges your support.

FC2: Senator Daniel Patrick Moynihan - 5 January 1982

General Comment.

RESPONSE:

The EIS preparation staff thanks you for your review and acknowledges your support.

FC3: Congressman Sam Gejdenson, 2nd District, CT - 4 January 1982

COMMENT 1:

My major concern with designating WLIS III as the disposal site is its proximity to past disposal sites. I am concerned that this proximity to past sites and the concentration of past dredged material could possibly create a toxic environment for lobster beds and related fisheries. Considering that at least 1% of the sediment is suspended throughout Long Island Sound, there seems to be a latent danger for the accumulation of heavy metals and other toxic material found in harbor dredged material.

RESPONSE:

Monitoring of past disposal operations has indicated there is a short term accumulation by filter feeding benthic organisms located around the perimeter of the site. Tissue levels returned to background levels soon after disposal operations ceased. Provided a dredged material is deemed acceptable for open water disposal (Ocean Dumping Criteria, 404 Criteria, Connecticut Water Quality Certification), we feel that the long term effects at the site would be negligible. Our studies at the Eaton's Neck site have not indicated any long term problems with benthic organisms, finfish or the lobsters in the area.

COMMENT 2:

My preference for a site, based on this DEIS, would be Site A, known as Bridgeport East. While both sites pose potential environmental degradation, I believe that Site A may be the lesser of two evils. This is due to its relative isolation from past disposal site.



RESPONSE:

The western border of Site A is approximately 1.4 kilometers east of the discontinued Bridgeport disposal site. There is no evidence that isolation from past disposal site makes an area more acceptable. The on-site biological resources are a more important criteria. Based on available information we feel that the on-site fishery at both Sites A and WLIS III are comparable in that they both have limited use.

COMMENT 3:

Although the total cost of Site A is higher than WLIS III, the effects of increased concentrations of dredge material are alleviated. I understand that the costs of this site weigh heavily upon the users of small marinas. But the costs could never be as great as the potential accumulation of toxic materials in Western Long Island Sound and their effects upon indigenous fisheries.

Accordingly, I submit this letter for the record in support of Site A, the Bridgeport East Site.

RESPONSE:

See response to Comment 1. The EIS preparation staff thanks you for your review and acknowledges your recommendation.

FC4: Gregory W. Carman, 3rd District, NY - 7 January 1982

COMMENT 1:

After a careful review of your Draft Environmental Impact Statement for the Designation of a Disposal Site for Dredged Material in Western Long Island Sound (WLIS III), I would like to reiterate my strong opposition to any dumping of dredged spoil in the Long Island Sound. It is my belief that the dumping of potentially hazardous and toxic wastes in the Sound could have a detrimental impact on the environment and the offshore fishing industry.

RESPONSE:

Your opposition is noted. However, current evidence indicates that, provided the dredged material is deemed acceptable for open water disposal, the impacts would be short term and confined to the disposal area. Long-term disposal at the Eaton's Neck disposal area has not indicated significant adverse environmental effects.

COMMENT 2:

Of particular concern is the existence of heavy metals, industrial wastes, and various chemicals which have been found in previous, supposedly safe, dumpings. Although the Army Corps of Engineers contends that the discharge of dredged material would cause a temporary "loss of habitat and forage" in the affected area, it is apparent to me that this dumping site is permanent and could provide to have disasterous long range consequences for the area. Long Island cannot afford the potential impacts of such an action.

RESPONSE:

You are correct in that the disposal site will remain a permanent feature. However, the vast majority of contaminants would remain sequestered in the disposal sediments. Short-term and localized releases of contaminants in the surface sediments would occur but would eventually reach an equilibrium with the water column. Released contaminants would be diluted to harmless concentrations, or in the case of heavy metals, bound to the simultaneously forming ferrous oxides. Provided the mound is not disturbed (there is no reason to assume it would be since the currents are low in this area) the vast majority of contaminants would remain bound in the sediments. This is the situation at the discontinued Eaton's Neck site and no adverse impacts have been detected.

COMMENT 3:

In closing, I strongly urge the Army Corps of Engineers to reconsider its decision to dump dredged materials in the Long Island Sound, and am hopeful it will discover an alternative that will not prove to be a threat to the environment or the health of Long Island residents.

RESPONSE:

The EIS preparation staff thanks you for your review and acknowledges your opposition.

FC5: Congressman Christopher J. Dodd - 11 January 1982

General Comment.

RESPONSE:

The EIS preparation staff thanks you for your review and acknowledges your support.

F1: U.S. Environmental Protection Agency - 11 January 1982

General Comment.

RESPONSE:

The EIS preparation staff thanks you for your review and acknowledges your support.

F2: Department of the Army, New York District, Corps of Engineers -  
13 January 1982

COMMENT 1:

It is stated that it constitutes an economic hardship for western LIS applicants to dump at the central LIS disposal site. On what basis has it been demonstrated that applicants cannot meet the additional cost? It is not indicated whether a determination of "Reasonable Incremental Cost," as required by the ocean dumping regulations has been accomplished for the areas/projects in question.

RESPONSE:

Evidence of economic hardship imposed by the lack of a western LIS dump site has been gathered through comments received in response to both the PEIS and the DEIS for WLIS III. Comments have been received from a group of Mamaroneck Harbor businessmen and residents (Shore Acres Point Corp.) who have applied for a Federal permit to dispose of approximately 81,000 cys of dredged material at the WLIS III site. According to Mr. Dan Natchez, spokesman for the group, if the dredging is delayed for even one more year some of the work will not be completed because of expired funds or increased costs. It is the increased costs to transport to the Central LIS dump site that have already made these dredging projects economically unfeasible. Information from the International Union of Operating Engineers (IUOE) states:

"Due to the longer towing distance, utilization of larger tug boats and larger capacity dump scows is required. These extra cost measures astronomically increase the cost of dredging to the point of eliminating most private marinas, municipalities and waterfront business from the marketplace."

The State of Connecticut Department of Transportation gives additional information regarding difficulties encountered in transporting material to the Central LIS site. They then summarize the benefits that would result from the opening of WLIS III:

"Seasonal constraints on the timing of certain dredging operations occasionally result in the towing of mud scows under adverse weather conditions. After passing Cable and Anchor Reef on route to the Central LIS site near New Haven, these tows begin to enter a more exposed portion of the sound. Heavy seas and (during the winter) freezing spray may be encountered on the 28 n.m. run from WLIS III to the New Haven dump. This one-way trip could take from 3-1/2 to 5 hours or more. Considerable fuel would be consumed to move a given quantity of material. In the meantime, the dredged may have to cease digging until it receives an empty scow.

With light to moderate winds, scows that could be towed alongside to WLIS III may require a hawser for the run to the Central site.

During severe winters, floating and pack ice in the western end of the sound can be another factor affecting transit time, making the proximity of a regional site an important consideration."

If the WLIS III site were to be opened --

"Bulk cargo facilities will be able to provide adequate controlling depths for barges and small coastal tankers more cheaply. Marinas and yacht clubs will be in a better position to maintain their slips and accommodate the seasonal influx in recreational boating. Private dockowners will also share in the economies of a regional disposal site."

Based on the bids for dredging Mamaroneck Harbor, and the information received from the IUOE, the Connecticut Dept. of Transportation and the Shore Acres Point Corporation it can be determined that the increment cost is "unreasonable" and that the economic hardship imposed on these people is real.

An additional element to be considered is the long-term effect that the closing of private marinas and other water-related economic activity in the area would have on the economy of the region. Again, a comment from the International Union of Operating Engineers summarizes these effects:

"The economic consequences to the region can be great; the added costs the consumer must pay for much costlier overland transportation, the economic hardships that are created when waterfront businesses are forced to operate at less than full capacity and the loss of tax revenue. But the most overlooked economic impact is the unemployed worker. When a worker becomes

unemployed due to overzealous environmental concerns, he does not become just a statistic. He becomes a ward of the taxpayer through the unemployment and welfare system."

COMMENT 2:

Pg. 8 - It should be noted whether concentration of metals in ppm is by weight or volume. Preferentially, they should be expressed as mg/Kg.

RESPONSE:

The metal levels are expressed in ppm by weight (mg/kg).

COMMENT 3:

P. 10 - 1st para. - SCUP and PORGY are same species (Stenotomus chrysops).

RESPONSE:

Your comment is acknowledged and "porgies" has been removed from the text.

COMMENT 4:

P. 11 - 3rd para., last sentence - On what basis is this statement justified?

RESPONSE:

See response to Comment 1 regarding comments made by Mr. Natchez of the Shore Acres Point Corp.

COMMENT 5:

P. 17 - 3rd para., 2nd sentence - A source should be provided to support this statement.

RESPONSE:

Studies by Serafy et al. (1977) have indicated that the benthic populations in the vicinity and surrounding the disposal site are generally mud associated species. A list of typical species has been included in Appendix A of the DEIS. There would be reason to assume that the temporary loss of a 6.5 acre discharge area of benthic productivity could be made up elsewhere in the surrounding areas. The benthic populations offer more than enough biomass to support the surrounding fisheries.

COMMENT 6:

P. 17 - 4th para. - An explanation should be provided. Does this paragraph refer to commercial otter trawling? What exactly is proposed? Also, what would be the economic loss (if any) to finfishermen if this disposal site were designated and used?

RESPONSE:

Dragging in this area primarily refers to otter trawling for flounder and scup. Some fishermen may use an established tow bearing. Prior to designation of a specific discharge buoy, we would coordinate with local fishermen to avoid these established areas, if possible. Otherwise, a reorientation of a tow bearing would be necessary. The economic impact of reorientation is unknown at this time but is expected to be minimal because of the small size of the affected area.

COMMENT 7:

Figure 3 - The source of this lobster habitat data should be indicated.

RESPONSE:

The source of the lobster information is a composite of two sources:  
(1) The DAMOS Annual Data Report - 1978 Supplement 1 and a letter from New York Department of Environment Conservation.

F3: Cooperative Sea Grant Extension Service - 15 January 1982

COMMENT 1:

My first concern relates to the bacterial, viral, and fungal composition of the dredged material and its potential to contaminate shellfish resources presently unaffected by these organisms. Unlike conservative properties such as sediment and metals, these living forms can readily multiply and might be dispersed via advection and diffusion to large areas of the Sound. This could potentially impact closely located valuable shellfish beds.

RESPONSE:

The magnitude and direction of the tidal and estuarine currents at the disposal site are such that no impact is expected on the shellfish areas north and south of the disposal. Dredging in harbor channels, which is not addressed in the EIS, would be subject to State approval.

COMMENT 2:

My second concern is that shellfish contained in the spoil material might be a potential health hazard. The source areas for spoil material are often closed to shellfishing because of polluted waters. Transfer of dredged material from these waters by clamshell bucket might include shellfish uncertified for harvesting. Movement of these shellfish to an area certified for harvesting could potentially place them in a pathway to human consumption (see attached). It might also be of interest to see how such transfer of shellfish relates to legal regulations on movement of shellfish across State boundaries, if this is to occur.

RESPONSE:

To our knowledge, no one is harvesting molluscan shellfish for human consumption at any disposal site. If a navigation channel encroaches on a shellfish bed, it would be assumed that the lessée would harvest the area prior to dredging. In addition, transfer of organisms to a disposal site by a clam shell dredge would probably result in mechanical injury or death making the animals generally unharvestable.

COMMENT 3:

My third concern is that presently hard clams are taken from deep water areas in Long Island Sound and placed in Great South Bay to augment the natural spawning effort of this resource. Will subsequent contamination of the \$14 million clam resource in Great South Bay occur?

RESPONSE:

See response to Comment 1. No impacts to coastal areas are expected.

F4: U.S. Department of Commerce - 15 January 1982

COMMENT 1:

Subject DEIS, forwarded 11 January 1982 by you, was received late afternoon 14 January 1982. The following comments are provided to you directly, due to the one-day turnaround time required, and should be considered preliminary in nature.

RESPONSE:

We apologize for the delay, however the DEIS was mailed on 19 December 1981. We cannot speculate on the cause for the delay in your receiving them.

COMMENT 2:

There are so many typographical and other printing errors, that it is sometimes difficult to understand what is there.

RESPONSE:

The typographical errors in the draft document will be corrected in the final document. However, the nature of the "typos" were such that other reviewers were able to understand its content.

COMMENT 3:

More importantly, the DEIS is unsatisfactory, as presented. The descriptions of the sites are suitable. However, the potential impacts will depend upon the quantity and quality (both physical and chemical) of the dredged material actually dumped (now, projected to be dumped). (The environment will act upon the material in a way that is dependent on its character, and the manner by which it is dumped. In turn, the ecosystem will respond to the resultant -- as a function of time.) There is nothing really in the DEIS on the nature of the material to be dumped. While it is true that there was some information on this contained in the Draft Programmatic Environmental Impact Statement (DPEIS), there were some shortcomings -- which were pointed out in a response to that document.

RESPONSE:

Your opinion is acknowledged. The EIS addresses the designation of a regional disposal site. It is not possible nor is it appropriate to analyze the sediments in every channel or harbor which could use the site. This would be done on a project-specific basis when a permit application is made.

F5: U.S. Coast Guard, Third CG District, NY - 21 January 1982

COMMENT 1:

We have reviewed the subject document, and have determined that the proposed site and vessel traffic to and from it should pose no hazard to navigation.

RESPONSE:

The EIS preparation staff thanks you for your review and comments.



STATE

SC1: John M. Perone, 91st District, Westchester County - 21 December 1981

General Comment.

RESPONSE:

The EIS preparation staff thanks you for your review and acknowledges your support.

SC2: State Senator Joseph R. Pisani, 36th District, Westchester County -  
28 December 1981

General Comment.

RESPONSE:

The EIS preparation staff thanks you for your review and acknowledges your support.

SC3: State Senator James J. Lack, 2nd District, NY - 14 January 1982

General Comment.

RESPONSE:

The EIS preparation staff thanks you for your review and acknowledges your opposition.

S1: State Historic Preservation Officer for Connecticut - 21 December  
1981

General Comment.

RESPONSE:

The EIS preparation staff thanks you for your review.

S2: Connecticut State Department of Transportation - 11 January 1982

General Comment.

RESPONSE:

The EIS preparation staff thanks you for your review and acknowledges your support.

S3: Interstate Sanitation Commission - 15 January 1982

COMMENT 1:

The document is deficient in that it takes account only of Federal water quality concerns and water quality requirements made by the individual states. Long Island Sound, west of a line from Port Jefferson to the easterly side of New Haven, is part of the Interstate Sanitation District over which the Interstate Sanitation Commission shares jurisdiction with the states. Accordingly, it is necessary for water quality in western Long Island Sound to meet the Water Quality Regulations of the Interstate Sanitation Commission and the document should so state.

RESPONSE:

The EIS preparation staff acknowledges your comment and have incorporated it into the final document.

S4: Rhode Island Statewide Planning Program, - 15 January 1982

COMMENT:

Since the disposal site will be designated for Western Long Island Sound, the Technical Committee has no comment.

RESPONSE:

The EIS preparation staff thanks you for your review.

S5: Rhode Island Historic Preservation Commission - 30 December 1981

COMMENT:

The proposed disposal of dredged material in Western Long Island Sound will have no effect on historic or archeological properties.

RESPONSE:

The EIS preparation staff thanks you for your review.

S6: Connecticut State Department of Transportation - 22 January 1982

General Comment.

RESPONSE:

The EIS preparation staff thanks you for your review and acknowledges your support.

S7: Connecticut State Department of Health Services - 20 January 1982

COMMENT 1:

The report indicates that when clam shell dredged materials are dumped at the disposal site, one percent of the sediment will remain suspended for an undetermined time resulting in a short term contaminant equilibrium. The contaminant level will lead to bioaccumulation relative to its varying concentration. As contaminant levels lower, the bioaccumulated levels in shellfish, as indicated-heavy metals and PCB's will seek this lower level through purification mechanisms. In addition the concentration levels in the water column become so diluted with the surrounding waters as to reduce that level to below water quality criteria.

It is not clear how water quality criteria and background water levels interrelate. No projections are actually made as to potential average or peak levels of heavy metals, or PCB's that could be accumulated in shellfish at the site and prompt closure of the area to commercial harvesting, nor has organic or metabolized organic components in shellfish been addressed. Although shellfish may concentrate contaminants to a greater level than ambient in a short time, the lowering of these levels may take considerable time. No time-frame has been referenced for this purification process.

RESPONSE:

Projections of potential average or peak levels of sediment contaminants in the water column could be determined by the elutriate test when a specific project is proposed. The test is one of several used to determine the suitability of open water disposal. The question of impacts from dredging on local shellfish beds would have to be considered when a permit application is made.

Mitigation measures would be appropriately considered at that time. If there are beds that may be impacted, the shellfish tissue would have to be monitored until the purification process is completed.

COMMENT 2:

There appeared to be a contradiction in current distribution of sediment. The report indicated the shellfish beds north and south of the site would not be affected by contaminants since bottom currents are orientated east-west and thus no shoreward deposition. The report goes on to state that the net sediment drift would be westward, which eventually would lead to shore. When discussing the lobster fishery, the report indicated that current patterns were circular in Western and Central Long Island Sound. Our Department is concerned with what the actual direction and extent of contaminant drift will be relative to Connecticut shellfish beds.

RESPONSE:

What may be confusing is the fact that three different currents are involved. The east-west oriented bottom currents are the largest in magnitude (5-25 cm/sec) and are the tidal currents. The net westward drift is a superimposed estuarine bottom current which has been measured varying from 1.5-5.5 cm/sec. Long shore surface currents are also prevalent which create gyres in the western, central and eastern basins of Long Island Sound. These currents are responsible for the containment of planktonic lobster larvae in the western basin. The net drift of the estuarine current are well below the expected threshold velocities of typical silt dredged material (35-45 cm/sec, Appendix A, Programmatic EIS). Therefore it is not expected that the estuarine currents are sufficient in magnitude to resuspend and carry any significant sediment westward from the disposal site. The area is a low energy area and has accumulated sediment over geologic time.

COMMENT 3:

The question also arises as to whether any PCB contaminated dredge spoils such as might be found in the Hudson River will be deposited at this site. If this occurs, what will be the probable extent of distribution both geographically at the site, and through the food chain.

RESPONSE:

Based on a recent agreement between the States of Connecticut and New York no dredge material west of Throg's Neck Bridge would be disposed in the proposed disposal site.

COMMENT 4:

An additional problem is the discovery of a Gonyaulax cyst in Center Port Harbor, Long Island, New York. Gonyaulax is responsible for causing red tides, and paralytic shellfish poisoning which results in shellfish area closures. If dredge spoils are deposited at WLIS III, will "red tide" organisms be dispersed to other areas of Long Island Sound with the disposal site then taking on the role of reservoir for future blooms?

RESPONSE:

Your comment is acknowledged. If the harbor in question has been subjected to a past red tide, there would be reason to believe that the "cyst" of Gonyaulax or another red tide producer may be in the sediments. The sediment would have to be analyzed at that time for the cyst's presence. Mitigation measures would be considered at that time. We appreciate your bringing this to our attention.

S8: Connecticut State Department of Environmental Protection - 19 January 1982

General Comment and Information.

RESPONSE:

The EIS preparation staff thanks you for your review and information.

SPECIFIC COMMENT:

Before DEP can concur with the designation of Bridgeport East (Site A) as an open water dredged material disposal site, further information should be provided. If this site is to be considered seriously, data on existing environmental conditions at the site should be collected. This type of information was presented for WLIS III. At this point it may be useful to consult with commercial trawl fishermen to obtain their views on Site A. As harbors in the region likely to utilize Site A for dredged material disposal may contain sediments of different quality from those found in harbors in other regions of the Sound, an intense disposal monitoring program may be required. These factors do not preclude further consideration of Site A, although it would be premature to designate it as a site without further investigation and discussion.

RESPONSE:

Such information would be obtained through the DAMOS program.

COUNTY/LOCAL

L1: City of New Rochelle - 18 Decmeber 1981

General Comment.

RESPONSE:

The EIS preparation staff thanks you for your review and acknowledges your support.

L2: City of New Rochelle, Dept. of Human Services - 21 December 1981

General Comment.

RESPONSE:

The EIS preparation staff thanks you for your review and acknowledges your support.

L3: Village of Port Chester - 21 December 1981

General Comment.

RESPONSE:

The EIS preparation staff thanks you for your review and acknowledges your support.

L4: Town of Rye, Office of the Supervisor - 22 December 1981

General Comment.

RESPONSE:

The EIS preparation staff thanks you for your review and acknowledges your support.

L5: Town of Oyster Bay, Department of Public Works - 6 January 1982

COMMENT 1:

In 1973 because of concern over environmental issues and management problems associated with dredged material diposal in LIS a decision was made to close 15 of the 19 existing open water sites. In 1974 Eaton's Neck site was subsequently closed.

The question foremost in our minds is "What has changed to make this an environmentally acceptable practice." The greatest shortcoming of this DEIS is the failure to discuss the environmental concerns which initially

prompted the closure of these sites. A discussion of data obtained from studies of disposal sites is in order. Apparently further testing must have been undertaken to assure; potential movement of dredged material from disposal area is limited, deterioration of the water quality would be temporary and restricted, and material earmarked for open water disposal is of a quality which would not impact the local fisheries.

RESPONSE:

Information gathered from a "Dredged Material Research Program (DMRP)" which ran from 1974-1977 has supplied new information on dredged material disposal activities. One facet of the research was to study the discontinued Eaton's Neck disposal site in Western Long Island Sound. The pertinent results of the study are discussed and referenced in the EIS. The various testing requirements (elutriate, bioassay/bioaccumulation) and water quality certification would insure protection to water quality and fisheries. The need for such testing would be determined at the time of permit application for each action.

COMMENT 2:

The dredged spoil of 23 assorted marinas and yacht clubs in Mamaroneck Harbor does not give us cause for concern. It is the effects of open water dumping of large volumes of dredged spoil from major harbor dredging projects which are cause for alarm. It is this sort of Pandoras Box we must not open without first assessing the possible environmental impact. The DEIS offers a generalized characterization of environmental setting and consequences.

RESPONSE:

It was not the intent of the EIS to evaluate every harbor for the feasibility of open water disposal at the site. This could be done at the time of permit application. Thus the EIS is generic in nature. See also comment and response below.

COMMENT 3:

Prior to any actual disposal, dredged spoil would, undoubtedly, be tested to ascertain its suitability for open water disposal. Approval would be necessary from Federal regulatory agencies and the State of Connecticut. Specific impacts would have to be addressed on a project specific basis as indicated in the DEIS. We would undoubtedly expect these statement to go into greater detail than the DEIS for "The Designation of a Disposal Site for Dredged Material in WLIS III."

RESPONSE:

Permittees would have to show that the dredged material is suitable for open water disposal through the requirements of ocean dumping and/or

404b criteria as well as water quality certification. Any project specific impacts and use of other of suitable disposal alternatives would have to be addressed at the time of permit application.

L6: Village of Northport, NY - 7 January 1982

General Comment.

RESPONSE:

The EIS preparation staff thanks you for your review and acknowledges your opposition.

L7: County of Suffolk, Office of the County Executive - 13 January 1982

COMMENT 1:

Having reviewed the above referenced DEIS as well as the associated Draft Programmatic Environmental Impact Statement for the Disposal of Dredged Material in the Long Island Sound Region, issued June 2, 1981, and the New England River Basin Commission's Dredging Management Data and Analysis for the New England/Long Island Region (September 1981), it appears evident that the DEIS on the WLIS-III site needs to be expanded and additional information supplied before a sound conclusion can be made.

RESPONSE:

Your opinion is noted but not shared by the preparation staff. The DEIS and the other documents mentioned in your comment do constitute sufficient information upon which to make a sound conclusion.

COMMENT 2:

In many respects, the DEIS on open water disposal in western Long Island Sound is vague and misleading. In the first place, the DEIS in question bases many of its findings on information within a Draft Programmatic Environmental Impact Statement (DPEIS). It seems inappropriate to answer many of the concerns raised about open water dredge material disposal in western Long Island Sound based on information contained in another "draft" report which in and of itself may be lacking. Such documents should be finalized with definitive policies set prior to their being incorporated by reference into other reports. In addition, there appears to be some discrepancies between information in the DEIS in question and the DPEIS which is referred to - for instance, within the "Preface" of the DEIS being reviewed, it states that "it was apparent (in the DPEIS) that no alternatives to open water disposal, such as upland disposal containment, incineration, etc., are not currently viable on a regional basis." Having read the DPEIS and knowing that upland disposal is only discussed in that report in the most generalized way, such a conclusion is not supported.



Within Suffolk County, upland disposal sites are used readily for the disposal of both clean as well as contaminated dredged material. Data within the New England River Basin Commission's Dredging Management Report clearly shows in Table 34 that upland disposal of dredged material was used 108 times as opposed to 56 for open water disposal in Connecticut for non-Army Corps of Engineers dredging projects from 1971 through 1980. Table 35 also shows definitively that of a total of 3,686 dredging projects conducted by the Army Corps of Engineers, upland disposal was used 2,135 times as opposed to 1,151 times for open water disposal. Without analyzing specific upland disposal areas currently in use and potential sites, which has not been done, the conclusion that upland disposal of such materials on a regional basis is not viable, cannot be substantiated in the DEIS.

#### RESPONSE:

The numbers you refer to in Tables 34 and 35 of the NERBC report refer to 1000's of cubic yards (cy) of dredged material and not times of disposal. Upland disposal is generally only feasible on a project specific basis and is best suited for small volumes of dredged material. The data in both Tables 34 and 35 bear this out. Table 34 compares volumes of upland and open water disposal for small and larger non-Corps of Engineers dredging projects during the period 1971-1980. In terms, of cy, the volumes of upland disposal from small projects (<10,000 cy) exceed the volume of open water disposal by a 2:1 ratio. Whereas, the volumes of open water disposal for larger volume projects exceed the upland disposal by a 10:1 ratio. The same principle is exhibited in Table 35 for Corps of Engineers projects. The total volumes of upland disposal are higher but the 2,135,000 cy is largely made of the 150 Connecticut River navigation projects which average about 10,000 cy each. Without the Connecticut River volumes, the open water disposal volumes exceed the upland volumes 2.5 times. The point is that upland disposal is generally used on a project specific, one time only, basis for small volumes of material. Adoption of this alternative would presume that a suitable site is available at the time of dredging and near enough to the project to make the disposal cost effective. The State of Connecticut is conducting a feasibility study to determine suitable land sites. Preliminary screening has indicated that four sites are available at this time based on the prime real estate value of coastal properties. In view of the lack of suitable sites for large projects and the uncertainty of availability of a suitable site for smaller projects, a regional open water site should be made available for the most immediate needs of the region. Future studies by the New York District Corps of Engineers may designate regional sites in the New York metropolitan area by 1985. Also the New England Division is studying the feasibility of containment facilities in the Long Island Sound area. A regional open water site would fulfill the needs in the meantime.

COMMENT 3:

Again, referring to the Programmatic EIS, the DEIS in question concludes that a site, WLIS-III, in the western Long Island Sound region can be used as a regional dredged material disposal area without expecting significant environmental impact. However, the information contained in the DEIS does not definitively answer and negate the concerns over the potential adverse impacts on water quality in western Long Island Sound. Information within the Programmatic DEIS shows that the potential for water quality deterioration at the proposed open water disposal site is "high" as shown in Figure II-B-3 of that document.

RESPONSE:

No EIS can ever "definitively answer and negate" concerns of potential environmental impacts. We have presented the pertinent information of studies which have been conducted by Corps of Engineers and others on the present water quality conditions in Western Long Island Sound. As indicated the DEIS, the Marine Science Research Center (1977) found no evidence that past disposal of dredged material contributed to the deteriorated water quality in Western Long Island Sound. The concerns expressed in the Programmatic EIS refer to further stressing the seasonal low dissolved oxygen values by disposal during the summer months. The Connecticut Water Quality Certification would place restriction on summer disposal to alleviate this problem.

COMMENT 4:

The Programmatic EIS states that the type of material dredged will significantly influence the acceptability of the method of disposal and concern for impacts. If the WLIS-III site is used for the disposal of clean dredged material, then without a doubt, impacts will be minimal. However, based on present information at hand, it is seriously questionable as to whether or not the material to be dumped at site WLIS-III will be clean.

RESPONSE:

The acceptability of open water disposal would be determined at the time of project proposal. Bulk sediment analysis is one criteria used in determining acceptability.

COMMENT 5:

The DEIS does not clearly indicate the harbor areas which will most likely use the proposed open water disposal area. This should be done. In addition, a description of the types of sediments within those harbors should be supplied in order to give an indication as to whether or not the dredged material that will be disposed of at the site will be significantly contaminated or not. It is pointed out that an Environmental

Atlas (CE, 1980B) has been completed by the Army Corps of Engineers which provides a harbor by harbor description of the sediments expected to be found in Long Island Sound, as well as the level of contamination found in the sediments based upon sediment analyses accumulated from past project testing. The specific data within the Environmental Atlas pertaining to harbors which may use the proposed open water disposal site should be included in the DEIS. If information on sediments and their contaminant levels is not available for certain harbors which might use the proposed site, then it should be obtained and placed within the DEIS as well.

The Programmatic Environmental Impact Statement indicates that the majority of the sediments in harbors at the western end of the Long Island Sound are silty fine grain materials. It further says that in general, silty material is more heavy laden with contaminants and that the presence of various contaminants found in such sediments have been DDT, PCB, heavy metals and organic materials. In addition, data within the New England River Basin's Dredging Management Report specifies that in three out of five Connecticut harbors previously dredged in the western Long Island Sound area on which sediment tests were conducted (consisting of either bulk analysis, elutriate test or bioassay tests), the sediments very likely contained significant contamination which could be expected to be an important issue in their disposal.

RESPONSE:

A list of the harbors which could use the disposal site has been included in the EIS (Table 2). The Environmental Atlas will be made available upon request and will not be included in this document. The Atlas is a New England Division Publication and is available at the Waltham Office. The sediment information only included the harbors within the New England Division jurisdiction. Available sediment information on New York harbors would have to be obtained from the N.Y. District in New York City. Again bulk sediment analysis is only one criteria of acceptability of open water disposal. The levels usually indicate if further chemical or biological testing is necessary.

COMMENT 6:

To more adequately address the potential water pollution issue, the DEIS should clearly and precisely state what policies will be adhered to when dealing with contaminanted dredged spoil materials. Will they or will they not be allowed to be disposed of at the proposed site? The specific criteria used to evaluate the eligibility of dredged materials for open water disposal, should be placed within the DEIS as well as the names of the agencies that will make the determination and how they will make the determination.

RESPONSE:

Corps policies, guidelines and criteria are those embodied in the Clean Water Act and the Ocean Dumping Act and implemented through Corps regulations using guidance developed by the Corps and EPA. Both of the above acts require careful evaluation of all discharges into open waters including potential environmental and economic impacts and any other factor which may affect the public interest. Any discharge which is judged not to be in the public interest is not permitted.

In addition all proposed discharges must be certified by the State of Connecticut that its water quality standards will not be permanently violated and that the action is consistent with the Coastal Area Management Plan. Failure to receive such certification would result in denial of the application.

COMMENT 7:

The U.S. Council on Environmental Quality Regulations on Implementing National Environmental Policy Act Procedures states that all reasonable alternatives should be rigorously explored and evaluated. Therefore, the use of specific upland disposal areas, especially for the disposal of highly contaminated sediments should be explored and evaluated in a comparative form with those proposed for offshore disposal. All mitigation measures should likewise be described in detail and evaluated.

RESPONSE:

Based on the information available and referred to in Response 2, the upland disposal alternative cannot be assessed to the degree of open water because of the site specific nature of the site designation. Detailed descriptions of mitigation measures are best described when a specific project is proposed. The type of sediments, and contaminant levels, results of biological testing, time of year of disposal, volume of sediment, etc. all have a bearing on what mitigation measures, if any, would be used.

COMMENT 8:

Before any definitive conclusions are made with respect to designating an open water dredged materials disposal site in western Long Island Sound, the Draft Environmental Impact Statement should be expanded to include all of the above reference issues and concerns.

RESPONSE:

The EIS preparation staff acknowledges your opinion and does not concur.

L8: Jane Devine, County Legislature, County of Suffolk - 14 January 1982

COMMENT 1:

When the western Long Island Dump sites were initially closed it was with the understanding that a long-term plan for all of Long Island Sound would be developed. To my knowledge no plan exists nor do you address, anywhere, why the Corps purports that it is environmentally acceptable to open the Western dumping site that you once closed.

RESPONSE:

Several major efforts are underway, which if taken as a whole, represent our long-term plans.

The Corps is presently finalizing a Programmatic Environment Impact Statement (PEIS) which assesses the impacts of open water disposal in detail and addresses alternatives to open water disposal generically. The specific alternative of using a containment facility in LIS is being assessed in detail via a separate major study by the Corps. Two potential sites are being assessed in detail with regard to economic and environmental feasibility and a report is due later this year. However the overall project report is due in draft September 1984. If the project and related reports are well received and congressional authorization to proceed is granted as needed, a facility could be in operation by 1990.

Upland alternatives are being addressed by the State of Connecticut. The present feeling is, however, that the upland alternative is not a viable option for regional disposal of dredged material.

Based on the above, the present plan for the disposal of dredged material is to utilize and monitor the existing regional disposal sites assessing specific alternatives on a case-by-case basis. As the major studies of other alternatives are completed, implementation will be considered.

The use of the historic Eaton's Neck site was deferred in 1973 so that studies could be performed to determine its suitability as a disposal site similar to those being done at the other regional sites in Long Island Sound. Studies of this site were initiated in 1974 and terminated in 1975 due to political pressure and the lack of agreement on the site between the states of Connecticut and New York.

Those studies however were sufficient to demonstrate the suitability of the site to contain deposited material. The existence of a heavily used lobster fishery at that site led us to look elsewhere in the region for a site with similar containment characteristics which would have less potential for impact on this fishery. WLIS III, as concurred by both State environmental agencies, represents such a site.

COMMENT 2:

Secondly, the Corps' reasoning for wanting to dump dredge material in Western Long Island Sound is wanting in logic. Your rationale is the economic advantage to the harbors located in the western basin of the Sound. May I suggest to you that when you consider the economics of the finfish and shellfish industry which thrives off of Eaton's Neck, combined with the fact that a more easterly location for dumping currently exists, your reasoning is specious.

RESPONSE:

Provided that the dredged material is deemed suitable for open water disposal and the restrictions of the water quality certification are met, negligible impacts to the fisheries in the Western Sound are expected. The studies at the Eaton's Neck disposal site support this conclusion.

COMMENT 3:

I continue to oppose dumping of dredge materials in Western Long Island Sound as I have in the past.

RESPONSE:

Your position is acknowledged and is a part of the record.

L9: Robert Mrazek, Suffolk County Legislature - 15 January 1982

COMMENT 1:

Since the original sites were closed in 1973, I have seen no evidence to indicate that the Corps has solved the environmental hazards associated with the dumping of dredged materials in Long Island Sound.

RESPONSE:

The Corps sponsored the Dredged Material Research (DMRP) which during the period 1974-1977, investigated several aspects of dredged material disposal. Part of this study was to assess the impacts at the Eaton's Neck Disposal site. Long term adverse impacts at the site were not detected, notwithstanding the many years of disposal operations.

COMMENT 2:

In fact, the Corps has presented no new arguments for this undertaking preferring instead to rely upon "economic criteria."

Fundamentally, we must consider whether the "economic criteria" which calls for a western dumping site should take precedence over the very real, deep seated concerns of those that depend on the area affected by

the dumping for their livelihood. The potential hazards to Long Island are so great that any damage done must for all intents and purposes be considered irrevocable. Because of this fact any proposed dumping cannot be evaluated merely on the basis of economic criteria. While we must balance economic growth and the environment, this case clearly demands that the environment take precedence.

RESPONSE:

Your contention that the "potential hazards are great" is not supported by any evidence or data available to us. The sites were evaluated on environmental criteria. The results indicated that the environmental impact from use of the WLIS III and Site A were comparable in magnitude.

COMMENT 3:

In conclusion, I take strong objection to the proposed use of a Western Long Island Sound site for the dumping of dredged materials. I believe that the Corps has failed to give serious consideration to upland sites and has presented no new evidence to justify reconsidering previous decisions to end dumping.

RESPONSE:

See Response 2 to Letter L7.

L10: Ferdinand J. Giese, Suffolk County Legislature - 13 January 1982

COMMENT 1:

We would like to know, what research has been done by the Corps of Engineers with the use of upland disposal sites?

RESPONSE:

The New York District is studying the feasibility of designating upland sites in the New York metropolitan area. A final decision is not expected until mid-1985 or later.

The Corps Waterways Experiment Station has studied upland disposal sites throughout the country including one at Nott Island, near the mouth of the Connecticut River. Because the Corps does not have jurisdiction above the mean high water mark, the State would be required to designate such a site. The State of Connecticut is currently conducting a survey of potential sites. Preliminary analysis indicates no site would be available on a regional basis.

COMMENT 2:

What will be the disposition of the dredged material that does not meet the requirements of all the Federal and State regulations?

RESPONSE:

If potential impacts cannot be mitigated to the satisfaction of the regulations, the discharge would not be allowed unless waived by EPA.

L11: Nassau County Department of Health - 15 January 1982

General Comment.

RESPONSE:

Your opinion is noted and included in the record.

COMMENT 1:

We urge temporary retention of the Central Long Island Sound site for the present, and urgently suggest that the containment option put forward in the DPEIS and at the public meeting held at Kings Point in May 1981 be vigorously pursued for the Long Island Sound region.

RESPONSE:

Your opinion is acknowledged. Our Planning Division is proceeding with the containment study at this time.

COMMENT 2:

With regard to the content and design of the EIS we feel that it is generally adequate although we would have preferred more "hard" data to support statements regarding impacts. We understand it to be "tiered" on the earlier programmatic EIS, but nevertheless feel that the document should be able to stand on its own where major conclusions are drawn since the DPEIS is restricted in availability.

RESPONSE:

The final PEIS is projected to be available in March-April 1982.

COMMENT 3:

A critical weakness of the report is that the importance of the lobster fishery is emphasized, but again the reader is given little more than unquantified general comments which are confusing. On page 10, the Western Sound is said to have the most productive lobster fishery in the Sound, while on the following page in the second paragraph, the writer asserts that the fishery is not considered important in the Western Sound.



RESPONSE:

Specific quantitative lobster information at the WLIS III site was not available. The site, as agreed upon by the States of Connecticut and New York, is not as important a concentration area as other areas in the Western Sound. The statements on pages 10 and 11 have been clarified.

L12: Village of Bayville - 15 January 1982

COMMENT 1:

What concerns us is the proposed dump site for dredged spoil just one mile northwest of the recently proposed and abandoned Eaton's Neck site. The waters of Long Island Sound have limited water exchange and will not be able to sustain the impact of industrial spoil. The dredge that will be dumped comes from polluted city harbors and contains heavy metals, petro-chemicals, pesticides and related pollutants. The State's Environmental Impact Statement itself lists the organisms on the bottom which will be killed by the 90% of spoil which will sink to the bottom. The remaining 10% will be carried by currents.

RESPONSE:

We acknowledge the fact that most marine organisms in the affected discharge area (0.04 square mile) would probably not survive burial by the sediments. However, your 90%-10% figures are not correct. Studies by Gordon (1974) at the New Haven disposal site have shown that 99% of the high silt discharge from a scow is transported to the bottom at a high speed. Only 1% of the sediments remained in the water column which settled according to their particle size. Provided the material is deemed suitable for open water disposal and the restrictions imposed by the Connecticut water quality certification are satisfied (e.g., restricted disposal during the summer when water column stratification occurs), we expect the water quality impacts to be minimal.

COMMENT 2:

It is my belief that this dumping will have a serious negative effect on the Sound's water quality, and, eventually, the fishing and swimming habits of Bayville residents as well as their health and welfare should our waters become polluted as a result of this dumping.

RESPONSE:

See response to Comment 1. We do not expect that disposal operations would impact the water quality of coastal areas.

COMMENT 3:

I respectfully request and urge the Army Corps to abandon this proposal and seek a more responsible alternative.

RESPONSE:

Your comment is acknowledged and will be considered by the decision maker.

L13: Town of Huntington Conservation Board - 16 January 1982

COMMENT 1:

How can WLIS III site be legally considered when it was never part of the public hearings held on Long Island Sound sites?

RESPONSE:

Although the site was not officially named WLIS III at the public meetings, the site was part of the initial presentation at the meetings. The label WLIS III was displayed on a graphic at the entrance of the meeting.

COMMENT 2:

There is a serious flaw in the reasoning that disposal at Eaton's Neck has shown no detrimental effects and as a result WLIS III can be considered safe also. How can it be reasonably assumed that the dredge spoil of the 1970's and 80's will have the same effect? How can the petro-organic contaminants received by our harbors and bays be considered similar when it is common knowledge that they contain more concentrated and complex residues than ever before?

RESPONSE:

Organic compounds such as PCB's and DDT were indiscriminately used well before the 1970's and 1980's. Your assumption that the sediments contain more concentrated and complex residues than ever before is unfounded. The use of DDT has been banned by the Federal Insecticide, Fungicide and Rodenticide Act of 1971 except for very restricted use. The use and disposal of PCB's were given special attention by the Toxic Substances Control Act of 1976. It is true that new substances are being synthesized. But testing, use, and disposal of such substances are controlled by the Environmental Protection Agency. It is more likely that less hazardous substances have been released into the aquatic environment (hence, the sediments) since the early to mid seventies due to the above stated legislation, and implementation of the National Pollutant Discharge Elimination System (NPDES) permit program.

COMMENT 3:

There is a dangerous omission in the Corps Management plan which could lead to serious liability. As cited in your report dredge disposal does contaminate the water column and accumulate in the marine food chain for some time during and after deposition (Saila et al 1968). What comprehensive plan and precautions exist that will prevent harvesting of contaminated organisms by professional fisherman and the public. We are talking about a 3-6 month time period.

RESPONSE:

The DEIS indicates that there may be short term and localized accumulation of potentially released sediment contaminants. However, it was not stated that this will get into the marine food chain. No study has concluded that the temporary accumulation seen during disposal operation lead to incorporation of the sediment contaminants into the food chain. Saila et al's study did not deal with the uptake of contaminants and its implication to the food chain. A more detailed description of the Saila et al. study has been incorporated into the text.

Studies at the other disposal sites in Long Island Sound have shown no adverse impacts including bioaccumulation to lobster living in the vicinity of or at a disposal site due to disposal operations (MACFC, 1976). The specific disposal point would be located to minimize any potential conflict with fishing activities and will be clearly marked with a buoy. It is expected that fishing activities will not take place in the immediate vicinity of the disposal.

COMMENT 4:

After a review of available scientific literature, it is the opinion of this Board that no evidence exists that suggests disposal of spoil from Class I, let alone Classes II and III are environmentally safe for future generations. It must be concluded that disposal of such materials, especially in such close proximity to human population, is at best a serious risk. What cost benefits exist to justify such a gamble? Until a tested and satisfactory methodology is developed that ensures contaminants will not find their way to the public, no Agency has the right to sanction dumping so close to our shores.

RESPONSE:

The EIS preparation staff acknowledges your opinion and does not concur. The guidelines prescribed under Section 404 of the Clean Water Act and Section 103 of the Ocean Dumping Act provide such methodologies for the determination of suitability for open water disposal.

L14: Town of Huntington, Office of the Supervisor - 18 January 1982

COMMENT 1:

You just continue to pull new proposal sites out of a "hat" 'til one is found that will not create public outcry.

RESPONSE:

The site proposed in the document is the same site presented at the 28 October 1981 meeting in Huntington.

COMMENT 2:

This WLIS site is being pushed under the guise of a disposal site for Mamaroneck dredge spoil. The report refers to a map that this disposal site will service. The map does not specify how many harbors or mention the extent of the proposed usage. According to information I received recently (Market User Survey for Selected Long Island Ports, Aug. 1981), a publication from your Planning Division, there are in reality thirty ports and harbors located in western Long Island Sound, most of which the Corps plans to dredge in the next fifty years.

RESPONSE:

The site would be designated as a regional disposal site for the Western Long Island Sound Harbors listed in FEIS in Table 2. Any material would have to be judged suitable for open water disposal based on the criteria referred to in Response 4, Letter L13.

COMMENT 3:

The DEIS does not specify which category of spoil, Class I, II, or III will be allowed to be dumped there as was stipulated in the Interim Report.

RESPONSE:

There are no Federal criteria for disposal based on the sediment Classifications I, II, III of the NERBC Interim Plan. The material will be evaluated by ocean dumping criteria for projects greater than 25,000 cy.

COMMENT 4:

The DEIS refers to the "extensive sandy ridge ranging from north of the Cable Anchor Reef to Eaton's Neck" for protection on the east. This "protection barrier" is approximately four miles east of WLIS. It makes me wonder why this so-called barrier is necessary if you state that there

and little impact on juvenile lobsters were noted. The high frequency of abnormal egg complement noted occurs in Western and Central Long Island Sound has not been related to dredged material disposal. Observation by NY DEC personnel have not seen the frequency of the abnormality reported by Smith in 1976. The abnormality was first noticed two years after disposal was discontinued in western LIS.

COMMENT 7:

I am concerned about the dispersal of spoil at the site. While you state that the clam shell dredge (which reduces the mixing of sediments with the water column) will be used, you fail to indicate what precautions will be taken to trap the sediments that are dispersed in the current due to rough weather prior to landing on the Sound floor.

RESPONSE:

Rough weather would preclude any disposal operations due to safety considerations for the crew and vessels. Under normal weather conditions surface conditions do not have a significant effect on the disposal operations.

COMMENT 8:

At the last hearing there was quite a bit of confusion as to which sites were actually supposed to be commented on. The people who attended and spoke were apparently confused by the presentation and not aware that the WLIS III was a different site. It was quite apparent that their remarks were based on the recommendations of the original five volume Programmatic Draft Environmental Statement. No one on the dais attempted to inform the speakers of the change of sites. Therefore, now that we have all the information on this WLIS, I feel it is necessary to have a public hearing at this time prior to any decision on this matter.

RESPONSE:

WLIS III is the name that has been adopted for the "Public Hearing" site which was on the graphic handout and discussed at the hearings. The area was identified as "WLIS III" on the chart displayed at the back of the hearing room in Huntington. Your misunderstanding is regrettable, however additional public hearings are not planned.

COMMENT 9:

You have failed to include all interested parties on your mailing list of this latest proposal. Many of the concerned people who had given statements at the last public hearing were not even notified of this latest proposal. Due to this confusion and lack of sufficient copies, I suggest (demand) an extension of the deadline to enable all who are interested to obtain a copy.

is no movement. Furthermore, before reaching this "barrier" the sediments would have to cross over the closed Eaton's Neck disposal site which just happens to be part of the Prime Lobster Grounds.

RESPONSE:

The DEIS does not claim that the ridge will prevent eastern movement of dredged material to the closed Eaton's Neck site. The ridge was mentioned in the bathymetric description of the general site area. The currents at the site area are below the threshold velocities that typical silt dredged material require for resuspension and movement.

COMMENT 5:

Heavy metal levels were found at testing sites outside of the disposal site. Since these stations had never been used previously for disposal operations, it could be an indication that there is more movement of the dredge spoil than previously speculated.

RESPONSE:

The presence of heavy metals in the western Long Island surface sediments is a ubiquitous condition related more to river discharges and not dredged material disposal (Marine Sciences Research Center, 1977). This is reflected in the pattern of the heavy metal gradient from Western Long Island Sound to the eastern Sound (Greig et al., 1977).

COMMENT 6:

I am concerned with the overall impact on our Prime Lobster Grounds. The edge of the disposal site is approximately 2000 feet from the lobster area. Since the DEIS mentions conflicting reports on the effect of contaminated dredge materials on juvenile lobsters, it would appear evident that dumping in this area should not be considered until the issue is fully studied.

RESPONSE:

The 0.04 square mile discharge area could be located anywhere within the 1 square nautical mile area such that an appropriate buffer zone could be established. A closer look at the information on lobsters presented in the DEIS is not as conflicting as you suspect. The statement in the DEIS concerning Salla et al.'s study was taken out of context. Salla et al.'s experiments are now described more fully in the text. Mortality was seen in only one of five experiments and was not related to the concentration of suspended sediments. The study concluded that mature lobsters will tolerate concentration of suspended material as greater or greater than those resulting from dredged material discharge with no adverse effects. Peddicord et al. (1978) simulated greater than worst case conditions (hydraulic dredging concentrations of 20 g/l) for relatively long periods

RESPONSE:

The mailing list was developed from the Draft Programmatic EIS (distributed last spring) in addition to the attendees at the public meetings who filled out address cards. Time for extension of the comment period has not been granted.

COMMENT 10:

Therefore, for the above reasons and for the fact that your own Programmatic EIS indicates that the WLIS III site is located in an area designated as a "high minus" potential for water quality deterioration, I strongly object and will do whatever is necessary to protect our region's natural resources as we have done in the past.

RESPONSE:

The EIS preparation thanks you for your review and acknowledges your opposition to the site designation.

PRIVATE

P1: Shore Acres Point Corporation - 17 December 1981  
P2: Nichols Yacht Club, Inc. - 17 December 1981  
P3: Sheldrake Yacht Club 1 - 17 December 1981  
P4: Wright Island Marina - 17 December 1981  
P5: Victor J. Fink - 17 December 1981

General Comment.

RESPONSE:

The EIS preparation staff thanks you for your review and acknowledges your support.

P6: Anthony Patrick Porco - 20 December 1981

General Comment.

RESPONSE:

The EIS preparation staff thanks you for your review and acknowledges your opposition.

P7: Polychron Marina Co. - 17 December 1981  
P8: Bohmert Bros. Inc. - 17 December 1981  
P9: Save Our Port: Port of New York and New Jersey - 29 December 1981  
P10: Neptune Boat Service, Inc. - 29 December 1981

General Comment.

RESPONSE:

The EIS preparation staff thanks you for your review and acknowledges your support.

P11: Anthony Patrick Porco - 5 January 1982

General Comment.

RESPONSE:

The EIS preparation again thanks you for your review and acknowledges your opposition.



P12: International Union of Operating Engineers Local 25 - 30 December 1981

General Comment.

RESPONSE:

The EIS preparation staff thanks you for your review and acknowledges your support.

P13: Concord Hill Civic Association, Inc. - 4 January 1982

COMMENT 1:

The use of the nomenclature "WLIS III site" is unfair and misleading. At page 3 of the EIS it is stated that the designation of the WLIS III site was the subject of three public meetings in Connecticut and New York on October 27, 28 & 29, 1981. I was present at the October 28 public hearing. Not once at the hearing nor at a single place do the handouts of that hearing mention the term WLIS III. Please see the attached map distributed at the hearing. The reason why this map is different from Figure 1 of the EIS is totally unclear. In any case, the Corps has either confused or deceived the public. It was my understanding that the purpose of the October 1981 public hearings was to consider a proposal to re-designate the use of the Eaton's Neck site as a dredged material disposal site. This contention is supported by newspaper stories (e.g. Newsday November 4, 1981) which reported that the Corps had decided, as a result of the hearings, to abandon its proposal to use Eatons Neck but to designate instead an alternative dumping ground nearby. I can only presume that the alternative dumping ground referred to is WLIS III. Based on the above, the Corps must hold another set of hearings on its revised proposal - the use of WLIS III as a future dredged material disposal site. (At these hearings, the Corps should use the same map as appears in the EIS).

RESPONSE: See response to comment 8, letter L14.

COMMENT 2:

The EIS' summary section is correct in noting that the unresolved issue is whether a regional disposal site should be designated in Western Long Island Sound. We think it should not be and support instead the No Action Alternative (i.e. continued use of the Central Long Island Sound Regional Disposal Site near New Haven). The Corps and the applicants from Mamaroneck Harbor, who desire to use a Western Long Island Sound dump site, have failed the economic hardship test. Indeed the EIS does not seem to address at all what the exact economic hardship of the continued use of a more distant disposal site would be to these applicants. It is significant to note that most of these applications are private individuals who apparently want to dredge in front of their own docks so that their

pleasure boats can be used. Other applications include yacht clubs and boat yards. With this in mind, it is difficult to comprehend how the Corps can be willing to designate a Western Long Island Sound dump site that will (according to the EIS) impact lobster and finfish fisheries and largely just benefit the recreational whims of a few. Is this really an economic hardship? The Mamaroneck Harbor applicants should take advantage of the economy of scale. Put another way, these applicants should group together and have a dredging contractor both dredge their individual areas at the same time and then make one trip to the Central Long Island Sound Site or the Dredged Material (Mud Dump) Site in New York Bight. This would substantially reduce the cost of each individual job (i.e. lessen the individual economic hardship).

RESPONSE:

Your comment is noted. However, there are a few points to clarify. The Village of Mamaroneck, NY is used as an example of a western U.S. community and those applicants for dredging permits would most certainly not be the sole benefactors if the WLIS III site were to be opened. It would be more economical for any community in the area to transport dredged material to the western site than incur the increased costs of transportation to the Central Long Island site. WLIS III would also be considered as a dump site for the Corps of Engineers maintenance dredging project in the Mianus River, CT (if funded).

The second point to note is the significance of the recreational boating industry in the LIS, especially in the western portion. The New England River Basins Commission reported that an estimated 80,000 recreational craft are berthed in LIS bays and harbor. They also predicted that by 1990, 15,000 new slips and moorings will be required. Most of this demand will be in the western reaches of the sound. Please refer to the response to comment 5 from the NY District Corps of Engineers (Letter F2) regarding statements made concerning the economic considerations of the situation. The failure of private clubs and marinas would cause economic hardship in the region, both in the short-run and the long-run. Other communities in the region facing the same increased costs of transporting dredged material will also be given economic relief by this proposal.

Your comment regarding an organized combined effort to dredge an area can be considered whether or not the site is open.

P14: Durland Scout Center, Boy Scout of America - 5 January 1982

P15: David Carsen - 17 December 1981

P16: Northeast Utilities - 7 January 1982

General Comment.

RESPONSE: The EIS Preparation Staff thanks you for your review and acknowledges your support.

P17: Richard Shalvoy - 10 January 1982

COMMENT 1:

Is it true that approximately 65,000 cubic yards of the material you plan to dump into the Sound is contaminated by industrial sewer discharges, grease, oil and whatever other petroleum distillates and miscellaneous contaminants happen to be present? And how certain are you that your estimate of 10% -- 10% of the total load of 641,000 cubic yards -- is accurate? Couldn't these industrial wastes and hydrocarbonaceous pollutants have been deposited in greater amounts than you suspect?

RESPONSE:

The assumption that 10% of the material dumped from any specific project is contaminated to a significant degree is inappropriate. In addition, the Flushing Bay material is not planned for disposal at the proposed disposal site. All material proposed for disposal in Long Island Sound is evaluated according to the applicable regulations and that material judged not acceptable is not allowed.

COMMENT 2:

Please also include in your response any information you feel might be helpful to me in my planning. For instance, I would like to know approximately how long to wait after a dumping based on reasonable estimates of wind and current movements.

RESPONSE:

The eastern border of the disposal site is approximately 3 nautical miles west of your swimming route. Disposed operations would not conflict with your path.

P18: Robert N. Olsen - 8 January 1982

General Comment.

RESPONSE:

The EIS preparation staff thanks you for your review and acknowledges your support.

P19: Peter J. Eliseo - 29 December 1981

COMMENT:

Please be advised that I hereby register my most strenuous objection to your report supporting the proposal to dump dredged materials from

Westchester harbors in the Long Island Sound. It is incredible tht you acknowledge in the report that the dumping would kill tiny fish and lobsters in the immediate area, yet advocate dumping less than a mile away from Long Island's lobster grounds. You certainly have not proven to me, in your report, that this dumping would not affect the Long Island lobster industry.

RESPONSE:

The impacts you refer to would be short-term and localized to the 600 ft. diameter discharge area. The operations would probably kill those organisms in the direct path of the sediment. However, the affected discharge area is a small portion of the entire area which provides habitat for these organisms. Thus only a small portion of the population would be lost. In addition, there is no evidence that the long term past disposal operations have affected the finfish or lobster fisheries in the western sound.

P20: Anonymous author - 11 January 1982

COMMENT 1:

Summary, Section C, Areas of Controversy, Concern (3):

Line 4 - Statement misleading - Ocean Dumping Criteria applicable to projects where dredged material is over 25,000 cy.

RESPONSE:

Comment noted. The ocean dumping criteria is only applicable to projects over 25,000 cy in Long Island Sound.

COMMENT 2:

Pg. I, Section I, Part A, line 6

Sentence poorly constructed and misleading

RESPONSE 2:

Comment noted. The sentence has been rewritten.

COMMENT 3:

Pg. I, Section I, Part B, line I

"Over half of the harbors in L.I.S. are located in the western basin." Is this statement true?

RESPONSE 3:

The Draft Programmatic EIS for Long Island indicates a total 47 Federally authorized navigation channels in Long Island Sound (minus 3 channels in Block Island Sound). Twenty-four of these channels are located within the western Long Island Sound basin (west of Stratford Shoals).

COMMENT 4:

Page 4, Section II, Part F

Mention briefly the DPEIS assessment of upland disposal, sanitary landfill cover and beach restoration alternatives.

RESPONSE 4:

Designation and use of upland disposal sites, sanitary landfill cover, or beach restoration would be determined on a project-specific basis depending on the availability of a suitable site and the nature of the dredged material. Each alternative would have specific engineering, economic, environmental and legal restrictions and would be ultimately designated and approved by the State and/or local authority. The cost of transportation above the mean water mark would be borne by local interests. The Corps of Engineers is studying potential land disposal sites in the New York Metropolitan Area where the State of Connecticut is doing the same in its State. The Corps of Engineer does plan beach restoration projects under the continuing Congressional authority of Section 103 of the River and Harbor Act of 1962 as ammended.

COMMENT 5:

A conclusion section should appear before Section V, Coordination. The conclusions mentioned in the summary could be expanded in a separate "conclusion Section".

RESPONSE:

The Corps of Engineers Engineering Regulations ER-200-2-2 for the implementation of the National Environmental Policy Act (313 CFR 220) does not require a separate conclusion section. The conclusions are incorporated in the text and are abstracted in the Summary.

COMMENT 6:

Table I is unnecessary because all have potential for applicability.

RESPONSE:

Table I has been revised.

COMMENT 7:

Preface:

Line 10-12 - Sentence contains a double negative, remove one negative.

RESPONSE:

Comment noted. The sentence has been revised.

COMMENT 8:

Summary, Section A, Findings, Paragraph 4, line 12 - Incorrect spelling of probability.

RESPONSE:

Comment noted. The spelling has been corrected.

COMMENT 9:

Section B, Conclusions, paragraph 2, line 2 - Incorrect spelling of designation.

RESPONSE:

Comment noted. The spelling has been corrected.

Section D, Unresolved Issues - Last sentence makes no sense "and the opposition of the Huntington community and vicinity to any disposal in their area."

RESPONSE:

The sentence has been corrected.

COMMENT 10:

Section I, Needs & Objectives

A. Action - Incorrect spelling of shell.

RESPONSE:

The spelling has been corrected.

COMMENT 11:

Section II, Alternatives

Section G, part economic

An explanation should be made on why the per mile cost increases so much. Or, one could give transportation costs only as an example and not include mobilization costs.

RESPONSE:

The reason why the per mile costs increase as the distance between harbor and dumpsite decreases is because of the breakdown of costs. When the total cost figures are divided by more miles (transportation distance to Central LIS) the per mile cost decreases as compared to the short trip to WLIS III.

COMMENT 12:

Section IV Environmental Consequences

Part A, #I, Action of Disposal, 2nd sentence - Does this mean that WLIS Harbors dredged by other than a clam shell could not use WLIS disposal site III?

RESPONSE:

Connecticut Water Quality certification will require that a mechanical dredge would be used for WLIS harbors.

P21: Montauk Surfcasters Association - 11 January 1982

General Comment.

RESPONSE:

The EIS preparation staff thanks you for your review and acknowledges your opposition.

P22: George and Helen Wist

COMMENT 1:

In the summary, you have indicated that "The lack of any noticeable adverse impacts at the nearby Eaton's Neck disposal site after many years of disposal suggests a low probability of potential problems." This statement indicates that there is still the possibility of a problem of an unknown nature and severity. Although there are economical advantages to the use of WLIS III, we feel that one should not risk the possible disastrous consequences of such dumping.

Once again the summary stated that ". . . the impacts . . . are believed to be short term and localized to the affected discharge area" and ... "that significant sediment movement from the site would not be expected". Both of these statements, once again, suggest some uncertainty as to what would come about as a result of said dumping.

RESPONSE:

No one can guarantee that any of man's activities will not have an adverse effect on the natural environment. Science today, especially in the ecological sciences, deals in terms of probabilities. Based on past studies and the best available on-site information, we feel that provided the material is deemed suitable for open water disposal by the appropriate criteria and restrictions imposed by the water quality certification are met; there would be a low probability of noticeable adverse effects in western Long Island Sound.

COMMENT 2:

You have also indicated in the report that the ". . . impacts to fisheries would be short term and localized to the affected discharge area." You later indicate that there would be temporary losses in terms of forage and habitat for fin fish and that lobsters in the affected area would perish. We are less concerned with fish than we are with human beings. We and our children swim in this water. Who knows what type of toxic materials are being dispersed in the water which may have an affect years from now on us and our offspring. You briefly mention the fact the other alternate sites were closed due to considerations mandated by the Clear Water Act of 1972. The obvious conclusion is that dumping is, in fact, harmful to the quality of the water in which we swim. No where in this report did I find any discussion of the impact on the people using the waters of the Long Island Sound.

RESPONSE 2:

As discussed in the document, the chemical effects on organisms would be minimal provided that the material meets the required criteria (p. 16). Implied with this conclusion is the ultimate effect on man who is one of many organisms utilizing the environment. If the impacts are minimal in the lower trophic levels (benthic organisms) of the food chain, one can assume minimal impact to higher trophic levels (predators and man), barring biomagnification of contaminants which never has been demonstrated with regard to dredged material disposal.

General Comment.

RESPONSE:

The EIS preparation staff thanks you for your review and acknowledges your opposition.



P23: Action for Preservation and Conservation of the North Shore of  
Long Island Inc. - 8 January 1982

COMMENT 1:

In 1975 we opposed the dumping of 100,000 cu. yds. of dredge spoil from Milton Harbor, the upper end of Mamaroneck Harbor. In the material to be dumped at that time, the Army Corps listed cadmium, arsenic, lead, copper, zinc, chromium, mercury, and nickel in concentrates equal to and in some instances greater than those which had accumulated at Eaton's Neck as the result of earlier dumping. For instance the copper of the dredge spoil was three times greater than the copper found at Eaton's Neck (.150-.050) and the zinc was fifteen times greater (.200-.012). In the Corps statement the dredge spoil was "considered polluted if the test produces an elutriate in which the concentration of any constituent is more than 1.5 times the concentration of the same constituent in the water."\* It is now proposed to move the site of a dump one mile north to protect the Eaton's Neck waters because your engineer, Mr. Chris Linsay, stated that Eaton's Neck is "not suitable for a dredge-dumping operation." How can the waters and the silt of the new site be kept separate from the waters around Eaton's Neck? You propose to dump 81,000 cu. yds. from Mamaroneck Harbor, 30,000 cu. yds. from Mianus River and possibly 530,000 cu. yds. from Flushing Bay.

\*There is no possible way to assure that such large amounts of evidently polluted spoil will not degrade the waters around Eaton's Neck.

RESPONSE:

The EIS indicates that there probably would be a short-term and localized release of some sediment contaminants in the water column as a result of disposal operations. Use of the clam shell dredge would minimize the mixing of sediments with the water column thereby reducing the level of released contaminants. The vast majority of the contaminants would fall to the bottom in the dredged material and remain sequestered in the oxygen-free chemical environment of the disposal mound. Studies by Marine Sciences Research Center (1977) have indicated that there is no evidence that past dredged material disposal contributed to the deterioration of water quality in Western Long Island Sound.

COMMENT 2:

There is no clear evidence that the heavy metals of the dredge spoil will not creep or flow towards the surrounding area which you call "the most productive lobstering fishery in the entire Sound." (DEIS, p. 10)

RESPONSE:

One of the reasons for this site designation was its low current regime. Studies by Bokuniewicz et al, 1977a indicated a tidal current less than 25 cms/sec for flood ebb tides. In addition Bokuniewicz et al. found there is a low net westward flow of estuarine currents of 1.5-5.5 cm/sec in the general area. Appendix A of the Programmatic Environmental Impact Statement for the Disposal of Dredged Material in Long Island Sound (May 1981) indicates that a current velocity of 35-45 cm/sec would be needed to resuspend typical deposited dredged sediments. The only other major influence is wind induced bottom current which often resuspends the bottom sediments. However, substantial movement of sediment would require a long fetch for a long period of time. Typical winter storms which this occurrence is most like would not exhibit winds long enough in any one direction to develop a substantial bottom current in any one direction. Hence, any movement of sediment would be minimal at best. Past bathymetric surveys at the Eaton's Neck disposal site have borne out this conclusion. In addition the area is located in a general area of long term sediment accumulation (Bokuniewicz et al, 1977b) which erosion or movement of the sediment would be unlikely.

COMMENT 3:

The DEIS Analyzes currently the sediment at Point 21 of map (Fig. 2) which is a point south of your proposed dump site near Huntington Harbor "All metal levels were within Class I standards of the Interim Plan except chromium, mercury, copper, and nickel at Station 21 and copper and zinc at Station B 3 (a point further to the north, p. 7). In 1975 the copper in Milton Harbor was .150 and the zinc was .200. The dumping of such fill will further increase the copper concentrate at point 21 and the zinc at EB3. What proof is there that Milton Harbor is not included in plans for dredging Mamaroneck Harbor? And why has no examination of the contents of the dredge spoil been supplied with the DEIS?

RESPONSE:

The sediment metal levels at the stations surrounding the disposal site were given as an indication of the background levels of the sediments in the site vicinity. It is a fact that disposal of some dredged materials would locally raise the sediment contaminant levels at the immediate discharge area. However, Appendix B of the Draft Programmatic EIS indicates a number of studies which have concluded that the prediction of adverse impacts should not be based on bulk chemical levels alone, (Lee and Plumb, 1974; Chen et al, 1976; Brannon et al, 1976, Khalid et al, 1977, Neff et al, 1978; Brannon et al 1978; Brannon, 1978). The use of any open water disposal site in Long Island Sound for projects exceeding 25,000 cy would be evaluated by ocean dumping criteria and not by bulk sediment analysis alone.

COMMENT 4:

It is evident that in order to fulfill the goal of this proposal the WLIS will become a permanent and continuous dumping site. In Section I you state "Over half of the harbors in Long Island Sound are located in the western basin . . . Maintenance and improvements of these naturally shoaled waterways is necessary for the continue free access and socio-economic well-being of the region . . . The lack of a designated site in WLIS has led to a substantial backlog of permit applications and near closure of many recreational marinas . . . The cost of proposed dredging of Mamaroneck Harbor by 23 permittees would be cut in half if they were able to use the proposed site." There is every indication that the site will have continuous dumping by the permittees and future ones from other areas. In the list submitted, there seem to be fourteen individuals, six marina and beach clubs, and three governing agencies. There is, at present, a dumping site fifty miles east in central L.I. Sound available to these people. The problem is that the cost of transporting spoil to this site is higher than that needed to transport soil to WLIS. While this organization can understand the concern of the permittees to reduce their costs by "up to 50% in several projects," (Summary, p. 2) we see no evidence that the danger of destroying the "most productive lobster fishery in the entire Sound" has been considered. The cost benefit to the 23 permittees should not be balanced against possible wide-spread damage to the economy of this region, as they are not being denied a dumping site.

RESPONSE:

The disposal would be a regional disposal site and would be open to use by any permittee which can show the material is suitable for open water disposal and that another means of disposal is not more suitable or available. The impacts to the lobster fishing were considered. Review of current literature and studies at the Eaton's Neck disposal site failed to show evidence of adverse environmental affects from dredged material disposal.

COMMENT 5:

The DEIS accepts the fact that the "discharge of dredged material would bury and for the most part destroy benthic organisms, demersal fish and lobsters which are within the discharge area. The loss of habitat and forage would be temporary and restricted to the affected discharge area." If all damage is predicated on the temporary destruction of the habitat, the Corps is assuming that the area will recover given a period of time to allow benthic organisms to regenerate. Yet "the substantial backlog of permit applications" and the number of harbors needing a dumping site make it evident this will be a permanent site in continual use during the warm months, and damage will not be "temporary," but permanent.

RESPONSE:

The disposal of dredged material can be managed to take advantage of the timing of the ecological succession of organisms repopulating the disposal to enhance the secondary biological production at the site. (Rhoads et al., 1978). Disposal during warm months would be restricted by requirements in the Connecticut Water Quality Certificate. It is unlikely that a disposal on the small affected discharge area would cause permanent adverse affects to the existing lobster and finfish populations. No such impacts have been detected at Eaton's Neck after many years of disposal.

COMMENT 6:

Nowhere has the Army Corps of Engineers discussed the objections which initially prompted the closure of western Long Island Sound dump sites. What has changed to make what was originally environmentally objectionable now environmentally acceptable? The only change is the economic hardship to the permittees of a fifty-mile transportation fee.

RESPONSE:

The EIS indicated that the concern over environmental issues and management problems led to the decision to reduce the number of sites. A subsequent study by the Corps of Engineers (Dredge Material Research Program) which included studies at the discontinued Eaton's Neck Disposal Site, were conducted from 1974-1977. Pertinent results of the study have been incorporated into the DEIS by reference. Such studies have given the scientific community new information that was not available in 1973.

COMMENT 7:

There has been no attempt by the Corps to produce a long-term plan for all of Long Island Sound. Dredge spoil will continue to be produced and until the Corps produces a long-term plan for its disposal, it will continue to designate disposal sites based on the convenience to local businesses and boat owners rather than on an overall management plan based on fact. Its first priority should be a long-range plan.

RESPONSE:

See response to Comment 1, letter L8 regarding long term plan.

General Comment.

RESPONSE:

The EIS preparation staff thanks you for your review and acknowledges your opposition.

P24: Mamaroneck Boats and Motors - 17 December 1981  
P25: Robert A. Sigety - 23 December 1981  
P26: C. Birge Sigety - 23 December 1981  
P27: Elizabeth R. Pennington - 23 December 1981  
P28: Mr. and Mrs. Michael Yon - 23 December 1981  
P29: Cornelieus Sigety - 23 December 1981  
P30: Jerry Shapiro - 12 January 1982  
P31: Peter J. Reale - 8 January 1982  
P32: Imperial Yacht Club Inc. - 17 December 1981

General Comment.

RESPONSE:

The EIS preparation staff thanks you for your review and acknowledges your support.

P33: Walter J. Blogoslawski - 15 January 1982

COMMENT 1:

I understand that this proposed site is approximately 2 miles from Connecticut State leased clam and oyster grounds. No data exists which show that the spoil material will stay within the proposed site. According to Willis Pequegnat et al (Corp Publication, 1981) a dye study is required to determine spoil mobility. Your permit application makes no such provision. In addition, J. R. Schubel et al (Stony Brook, 1981) indicates that the reason deep holes exist in Long Island Sound is that scouring and high tidal energy prevent fines from settling in these locations. Thus, the site off Norwalk may not be a good location for spoil discharge, especially if the toxic spoil migrates to productive shellfish grounds.

RESPONSE:

See response to comment 2 letter P23. In view of the direction and magnitude of the currents at the site no impacts to the shellfisheries on either the Connecticut or the New York Shores would be expected.

COMMENT 2:

In my opinion the Corps needs to define the exact amount of spoil dumped at any one time, the bioassayed nature of the spoil, spoil movement during different seasons by dye tracer studies, and what long term effects the spoil may have on Connecticut shellfish grounds. Alternatives such as capping the spoil area with cellar dirt, sand or stone should be also considered, after bioassay reveals toxic components.

RESPONSE:

The need for appropriate testing and mitigation measures would be considered at the time a specific project is proposed. This EIS is generic in nature and only discusses the generic impacts of designation of the disposal site. Again, no impacts are expected on the shell fisheries in the coastal areas.

COMMENT 3:

As a concerned citizen of Connecticut, I hope that careful consideration be given our natural resources. Rushing into large scale dumping projects, especially when alternative sites such as New York's Eaton's Neck were too politically sensitive to be chosen, smells like a rotten fish for Connecticut citizens to swallow.

I am against this project unless you can show some hard data indicating that no spoil movement will occur.

RESPONSE:

Current information at the site was presented in the DEIS and in Response 2 to letter P23.

P34: Long Island Sound Task Force - 14 January 1982

General Comment.

RESPONSE:

Comment noted

SPECIFIC COMMENT 1:

The DEIS fails to examine the demand for WLIS III in terms of who will use the site; the quantity of material to be disposed of in the site; the time frame; and type of material to be disposed of (i.e., classification of material under Interim Plan guidelines.)

RESPONSE:

The disposal site will be available to any permit applicant in Western Long Island Sound who has demonstrated the material to be dredged is suitable for open water disposal and an alternative to open water disposal is not available. The quantity of material of the myriad of existing and potential projects would be difficult to determine. However, the probable scenario of disposal projections for the next fifty years located in Appendix C of the Programmatic EIS indicates that approximately 6.4 million c.y. of material in western Long Island Sound would need to be dredged. Historically, about 60% of this volume has been deposited in

open water. The type of material deposited would be evaluated when a project is proposed. There are no legal mandates which restrict disposal based on the Interim Plan classification system. The type of material would be judged based on a screening of the bulk sediment analysis. The need for further chemical and biological testing would then be determined. Project greater than 25,000 cy would need to satisfy Ocean Dumping regulations. Disposal would also have to satisfy requirement imposed by the Water Quality Certification.

COMMENT 2:

The DEIS fails to present guidelines for use of the site. Apparently it has been agreed that no project west of Throg's Neck will be permitted to use this site, but this type of guideline information is absent from the DEIS.

RESPONSE:

Notification of the agreement between the States of Connecticut and New York occurred after the DEIS was distributed. Guidelines imposed by Section 404 of the Clean Water Act, Section 103 of the Ocean Dumping Act and the State Water Quality Certification would need to be satisfied.

COMMENT 3:

It is readily apparent that the DEIS was hastily prepared. The obvious lack of proof-reading and the omission of the Oceanic Society and Long Island Sound Taskforce from the list of organizations receiving the DEIS are two examples of this haste.

RESPONSE:

We apologize for the omission of the mailing of the DEIS to you and other private groups in Connecticut. The list was inadvertently lost during processing. We have corrected the problem.

COMMENT 4:

It is the interest of the Society and the Taskforce to achieve a comprehensive dredge management plan for the entire Sound. Part of such a plan would be the designation of a western Long Island Sound site. In determining a site for designation, factors such as the lowered tidal exchange and high organic pollution input via the East River must be considered. These are just two factors in the unique chemical, physical, and biological make-up of western Long Island Sound. The WLIS III site can not be treated in the same terms as the Central LIS or New London disposal site.

RESPONSE:

See response to Comment 1, letter L8 with regard to the "Plan". Water quality consideration were addressed in the DEIS. Studies at the discontinued Eaton's Neck disposal site indicated no relationship between the water quality in Western LIS and the cumulative disposal activities which occurred there for nearly 75 years (Marine Sciences Research Center, 1977). Potential impacts on water quality would be assessed when a specific project is proposed through appropriate testing. Disposal activities at the site would be managed similarly to other regional disposal sites in Long Island Sound.

COMMENT 5:

We ask that the final EIS for WLIS III contain data on potential users, type and quantity of material, and guidelines for disposal operations. In addition, research should be initiated on the lobster fishery. Concerns such as rate of lobster recolonization of the disposal mound, and the extent of impact on the fishery from intermittent disposal operations should be undertaken at the site.

RESPONSE:

The list of potential harbors which may use the disposal site have been included in the EIS (Table 2). Sediment analyses of potential dredged material would be accomplished when a project is proposed. The Environmental Atlas (CE 1980) referred to in the Programmatic EIS contains bulk sediment analysis, elutriates and bioassay results based on past required testing. Available information on New York harbors may be obtained from the New York District in New York City. The DAMOS program would monitor the disposal site for a variety of environment parameters including observations on the lobster fishery.

COMMENT 6:

Finally, we call for the Corps to establish a "Steering Committee". This committee would be comprised of Federal, State, and private representatives familiar with the dredging issue in Long Island Sound. The committee's purpose would be to utilize existing data and knowledge (i.e., NERBC Interim Plan, DPEIS, etc.) in the formulation of a Sound-wide dredge management plan. This Steering Committee could also advise the Corps of Engineers on individual projects, alternatives to open water disposal, and other aspects of future LIS dredging.

RESPONSE:

The Dredging Management Work Group (NERBC), and the Dredging Management Committee (Interim Plan 1980) are made up of the same individuals with whom we consult on a regular basis to discuss proposed private projects. Our public interests review requires this consultation and



allows for input from any other private or public sector. Your "Steering Committee" would duplicate this effort. In addition whenever significant issues arise with regard to disposal activities these individuals are convened to present and discuss potential solutions. Professional scientists are often included on these discussions.

COMMENT 7:

In our discussion with other individuals and government officials involved with dredged material disposal, we have found interest in this sort of cooperation. Public knowledge of the dredging issue remains extremely low while the demand for dredging and dredged material disposal continues. Maintenance of the status quo is not sufficient to deal with this issue. A new, integrated approach is necessary. The Oceanic Society and Long Island Sound Taskforce stand ready to help in this effort.

RESPONSE:

Your views are acknowledged and we appreciate your offer of help in this matter.

P35: Connecticut Commercial Fisherman's Association - 14 January 1982

COMMENT 1:

The area designated as WLIS III itself is a productive lobstering and dragging ground during certain months of the year. While the Draft Environmental Impact Statement seems to consider fishing grounds as static regions, this is far from accurate. The movements of all commercial and recreational species are profoundly affected by water temperature, currents, siltation, the presence or absence of certain food organisms, and fishing effort in the area. As a result, no area is ever either "dead" or always productive. Fishing effort is concentrated in different areas at various times of the year, and if a certain place is productive as little as 2 months out of the year, its destruction will have a significant economic impact on commercial fishermen working the area. In addition, WLIS III is located immediately adjacent to some of the most consistently productive lobster grounds in this part of the Sound, recognized lobster breeding areas, and the only clear ground between Norwalk and Long Island where it is possible to tow a trawl net without its hanging up and tearing frequently at great cost to the fisherman.

Bottom fish like the economically important flounder and scup will quickly avoid areas of heavy siltation. Draggers must already contend with closed areas extending from Buoy 11B and 32A all the way to City Island, and along various lines along the Connecticut shore. If one of the last good open dragging grounds is eliminated, it will no longer be economically viable to operate a dragger in Western Long Island Sound.

For lobstermen, it will be necessary to steam further and set more gear to catch the same amount, increasing both overhead and fuel consumption to the point where the already-slim profit margin will be eliminated completely.

RESPONSE:

Your comment is acknowledged, has been placed in the record, and will be considered by the decision maker. However, studies by Valenti and Peters (1977) have not indicated "destruction" of the lobster and finfish fishery after many years of dredged material disposal. The 0.04 square mile discharge area would be marked by a buoy so that fishermen may avoid the area and not harm their gear.

COMMENT 2:

WLIS III is also located barely a mile from deepwater oyster holding beds off Norwalk. Extensive shellfish beds occur north and south of WLIS III in both Connecticut and New York coastal areas.

RESPONSE:

See response to Comment 1, letter F3.

COMMENT 3:

The Draft Environmental Impact Statement admits that any marine life in the immediate area where dumping occurs would be killed by the contaminant-laden harbor spoil material. The harbors most frequently cited as being top-priority for dredging, such as Mamaroneck, Bryam, Stamford and Black Rock are among the most heavily polluted in the entire Western end of the Sound. These harbors have been heavily industrialized for many years, and any dredge material from them will contain high concentrations of heavy metals from the plating chemicals, oils and other industrial waste which were historically as well as recently allowed to drain into the harbors.

Besides the immediate consequences to marine life of dumping this highly contaminated dredged material on WLIS III, the strong possibility also exists that long-term bioaccumulation of heavy metals in particular could occur in lobsters exposed to the suspended sediment surrounding the disposal site. Lobsters caught in Long Island Sound must undergo routine analysis by the FDA for harmful chemicals and unacceptable metal concentrations. If even one lobster tested out above the acceptable levels of any of these, the resulting fishery closures and landing restrictions would completely shut down the Long Island Sound lobster industry with catastrophic economic consequences for the fishing industry in both Connecticut and Long Island's North Shore. We have seen it happen in exactly this manner with the mercury scare which crippled the New England swordfish and tuna fisheries in the early seventies.

The toxic content of the dredge spoil from these heavily industrialized harbors makes exposure to the material so dangerous that on the last Stamford dredging job, for example, OSHA required dredge operators and crews to wear Scott Air Packs while working. Nearly all of the top-priority harbors are this bad!

RESPONSE:

Your comment is acknowledged. However, studies at other disposal sites have not indicated significant long term bioaccumulation of sediment contaminants (Cobb et al., 1977; Lee and Jones, 1977; MACFS, 1976). The dredged material will be evaluated according to Section 103 of the Ocean Dumping Act or Section 404 of Clean Water Act. Under Section 103, tests for bioaccumulation of sediment contaminants by representative species may be required. This would be a consideration in the overall decision to grant a permit for open water disposal.

COMMENT 4:

In the Draft Environmental Impact Statement the Corps of Engineers assumes that all of the contaminated material will be dumped precisely where specified and properly capped, keeping drift and spread of contaminants to a minimum. Unfortunately, the Corps does not sufficiently police dredging operations to enforce proper placement of the spoil. When the contracts are assigned, the money being invariably tight the lowest bidder takes the job, and very often these are dredge companies which operate on a shoestring and cut corners wherever possible to make a profit on the job. Short dumping, which is the failure to transport dredge spoil material the designated disposal site, is a common and extremely destructive practice of these "fly-by-night" dredging contractors. The Connecticut Commercial Fishermen's Association can provide evidence of actual instances of short dumping on both the recent Norwalk and Stamford jobs, including eyewitness accounts of Corps of Engineers observers actually condoning the practice! When this contaminated material is just let go anywhere without regard for environmentally sound disposal areas and capping techniques, it is not unusual for a lobsterman to pull up a line of pots buried full of goeey, foul black mud, with any lobsters in the traps killed by toxic sediment. Draggersmen find whole acres of bottom destroyed for fishing. Short dumping could be a major factor in statistics from State biologist Eric Smith, who reports that lobster catches in Western Long Island Sound have declined 40% since 1978.

RESPONSE:

The Corps of Engineers places an inspector on every tug that leaves the dock with scow in tow. They are instructed where the material is to be dumped within the dump site and must log each day's activities for the record. The Corps' inspectors do not condone the practice of short dumping and report any such actions immediately to our main office for further action which may include legal action for violation of contract and violation of the Clean Water Act.

In some cases danger to life and property will cause a captain to discharge the scow outside the disposal site. If the danger was foreseeable, the operator may be held liable for the above violations.

To our knowledge short dumping is an infrequent experience.

COMMENT 5:

Another incorrect evaluation in the Draft Environmental Impact Statement is the treatment of WLIS III as if this were a one-time-only dumping proposal. It is a fact that a dumping ground, once discontinued, will become reinhabited by marine life and will even attract more lobsters in particular than existed in the area prior to the dumping. This natural regrowth into productive fishing ground can only begin to occur once dumping on the site has been discontinued for at least a year. By definition, WLIS III is a "Regional Dredged Material Disposal Site," meaning that any time a dredging project is done in Western Long Island Sound, the spoil will be dumped on this area. If each harbor in need of dredging in this area is done in turn, this dumping site will be in use each successive winter for as long as up to 10 years, which means just as soon as it is beginning to come back from the previous year's dumping, another layer will be thrown down to completely kill the area again. Far from being short-term, the consequences of this practice of repeated dumping would serve to permanently eliminate a once-productive ecosystem from Western Long Island Sound, with direct negative economic impact on the fishing industry.

RESPONSE:

Your comment is acknowledged. However as the DEIS points out on p. 14, periodic disposal may be managed to enhance productivity at the site by keeping the benthic community at a early stage of ecological succession (Rhoads et al 1978). It also was pointed out that the affected discharge area is 0.04 square miles and is a small portion of the potential benthic habitat available to the fisheries.

COMMENT 6:

We can propose two alternatives to the use of WLIS III, or any offshore dumping site, which are both economically viable and environmentally sound. The first of these is the landfill containment method, which has been extremely successful in the Delaware and Chesapeake areas of the Atlantic Intercoastal Waterway. It is a well-known fact that the Norwalk Islands, Bridgeport's Fayerweather Island, and numerous beach and shoreline areas are being eroded by the Sound at a rate exceeding 6 feet per year. By using the dredged material to build up these islands, much of the expense of transporting the dredge spoil to offshore dump sites could be eliminated, and at the same time we could reclaim our islands. This has been done successfully in New York Harbor, where Swinburne Island and Hoffman Island, near the Verrazano Narrows Bridge are built entirely of sanitary landfill material contained by riprap.

RESPONSE:

The Corps is presently undertaking a major study to assess the feasibility of constructing a dredged material containment facility in Long Island Sound. Your comment has been forwarded to the project manager of that study. See also response to Comment 1, letter L8.

COMMENT 7:

The second alternative to a repeatedly-used "Regional Disposal Site" is the designation of multiple disposal areas immediately offshore of each harbor to be dredged, which would be used for disposal of spoil from that harbor only, on a one-time basis. This would allow the marine life in the area to recover completely as mentioned earlier, without being repeatedly dumped on. Again, this would eliminate many of the transportation costs associated with "Regional" repeatedly-used offshore dump sites.

RESPONSE:

The disposal sites were regionalized to effect better management and impact assessment. Your recommendation is not consistent with existing policies and Coastal Zone Management goals.

COMMENT 8:

We would like to make several other points in reply to the Corps of Engineers' Environmental Impacts Statement. While there was a hearing held in Norwalk, CT about the WLIS III proposal, it was so underpublicized that virtually no one who could possibly have objected to this proposal was notified. As a result there were no objections raised at the hearing. This is hardly an accurate sampling of the opinions of the majority of Connecticut people who use the Sound for commercial or sport fishing, or of our local environmental groups. As for the hearing on Long Island, we may be sure that no one in New York would object to dumping New York's dredge spoil on Connecticut! It is our opinion that if the spoil is from New York harbors, it should be disposed of in New York waters, west of Mamaroneck, for example.

RESPONSE:

Notice of the public hearings was released on 2 October 1981 to approximately 1,200 individuals, organizations and agencies as well as about 200 newspapers and magazine offices on both sides of the Sound. While we regret your not having sufficient notice to attend the hearings, we have received your comments and have addressed them in the final EIS.

COMMENT 9:

Finally, on Page 10 of the Draft Environmental Impact Statement, the Corps of Engineers states that "approximately 42% of the lobster catches in the entire Sound were landed in the Western Sound in Connecticut waters." On Page 11 is stated that "the fishing industry is not as prevalent in the Western part of the Sound as it is in the central and eastern areas and is not considered a major economic factor." 42% of the Sound's total landings is not considered an economic factor?! Perhaps the Corps is attempting to minimize the extent of the flourishing lobster, drag and oyster fisheries in the Western Sound because the effect of the opening of WLIS III would be even more damaging to the Connecticut fishing industry than present studies show.

RESPONSE:

The statement on page 11 has been changed to accurately express the facts.

COMMENT 10:

Managed properly, Long Island Sound's fisheries can be a fabulously rich renewable resource for many years to come. The Connecticut Commercial Fishermen's Association, representing the commercial fishing industry of the State of Connecticut, hereby strongly urges the U.S. Army Corps of Engineers to reconsider alternatives to the opening of dredge spoil disposal sites like WLIS III.

RESPONSE:

The EIS preparation staff acknowledges your opposition to the proposed site.

P36: Masthead Cove Yacht Club, Inc. - 11 January 1982

COMMENT 1:

Although the subject report does acknowledge that aquatic life would be destroyed in the dumping area, it fails to demonstrate clearly that the environmental impact would be acceptable on any quantitative basis. In fact the report contains numerous contradictions, blatant untruths, and subjective, unsupported, opinionated statements which grossly mislead the reader, "officialdom," and the public. The report is a whitewash of the facts, and places private economic interests and financial gain ahead of Clean Water Act. We, the users of these waters, end up as the losers because you would permit such misleading statements to pass as an "Environmental Impact Statement," and in reality encourage the destruction of large piece of Long Island Sound through this cover-up.

RESPONSE:

The EIS preparation staff acknowledges your comment and does not concur.

COMMENT 2:

Page 18 - "Any lobsters within the .04 square mile impact area during operations would perish." Sir, the WLIS III proposed in your report is over 2 square miles in size, and we all know that the dredged poisons are likely to be dumped anywhere inside, and frequently outside, of that area. Who is naive enough to believe that private dredging crews would really care about hitting such a tiny spot when they could legally come within a country mile of your expected .04 square mile impact area.

RESPONSE:

See response to Comment 4, letter P35. The site is one square nm in size.

COMMENT 3:

Page 23 - Relative to the public hearings: "Strong interest was demonstrated by both opponents and proponents at these meetings." How can anyone with a clear conscience make such an untrue statement? The townspeople of Huntington, including our Town Supervisor overwhelmingly opposed the capricious selection of sites and the dumping of spoil anywhere in our public waterways and prime recreational areas. You should be congratulated as an impartial governmental agency for making it appear as though this volatile issue was a draw!

RESPONSE:

The statement has been clarified. You are correct in your assessment of the opposition at the Huntington Meeting. However, the meetings at Norwalk and Mamoroneck indicated considerable support for the proposal.

COMMENT 4:

Concern No. 3 of the Summary: "The impacts on water quality would be temporary and restricted to the affected discharge area. To insure this, the dredged material will have approval for open water disposal by the various appropriate State and Federal Agencies." What is "temporary" -- only a few years?? What is the "affected discharge area" -- the few square miles surrounding that microscopic .04 square-mile target area?? How does some disinterested party's approval of the spoil content insure that the killing of all aquatic life in the dump area would be temporary and occur only in that .04 square mile pinpoint?? How can you, in clear conscience, believe that Long Island Sound is "open water," when both N.Y. and Connecticut have declared it a closed body of water and rendering it

illegal for boaters to discharge untreated human waste anywhere in Long Island Sound, regardless of any 3-mile limit? Is your dredged material less toxic than untreated human waste?? The approval for "open water disposal" is to be given to the dredging companies by the same agencies who believe it illegal and environmentally impure for the Sunday sailors to urinate in these same waters?? Incredible!!

RESPONSE:

Impacts to water quality may be a little as a few minutes with regard to toxicant release (Wright, 1978, Burks and Engler, 1978) to as long as several days for turbidity depending on the type of material. Any released heavy metal would be generally diluted or adsorbed by the iron oxides formed by the oxygenation of the sediments. About 99% of the sediment released by bottom opening scow would fall directly to the bottom. The remaining 1% would fall according to particle size and may take several days to settle depending on the surface waves.

The affected discharge area is the 0.04 square mile area. Since movement of sediment from the discharge area is not expected, no impacts should occur outside the area. As stated in the DEIS, studies of past disposal operation have indicated that the direct impacts on the affected discharge area to be short term and localized to the dump site. The term open water disposal is used in the context of a substantial body of water. It is not known whether dredged material is more or less toxic than untreated sewage.

COMMENT 5:

Par. D of Summary, Unresolved Issues: "Most of the harbors are situated on the western end and opposition of the Huntington community and vicinity to any disposal in their area." Just what does this "sentence" mean?? Is the "opposition of the Huntington community" the same as "strong interest was demonstrated by both opponents and proponents at these meetings." Sir, you and your people know that the environmentally concerned people of Huntington and Connecticut are strongly opposed to this debacle; you just said it; and it contradicts your public hearings results on page 23!

RESPONSE:

The sentence has been restated in the text to portray the intended meaning.

COMMENT 6:

Page 1, Par. A: "The proposed site will service the ports and harbors within the Western Long Island Sound area as shown in Figure 1." This figure conveniently omits labelling Mamaroneck, Flushing, Little Neck, Whitestone, City Island, Rye, etc., although the area shown goes all



the way to the Whitestone Bridge. Are you trying to imply that because these harbors are not labelled on Figure 1 we will not be getting their dredgings?? Come now, Sir, the pollution level of the waters in Flushing and Whitestone is perhaps the worst in the world (but maybe a bit cleaner than the Gowanus Canal or the Raritan River). Misleading by omission is very unprofessional.

RESPONSE:

A list of the potential navigation channels that potentially may use the site have been included in the text (Table 2). Based on a recent agreement between the States of Connecticut and New York, no sediment dredged from harbors from west of Throg's Neck Bridge would be disposed in western LIS.

COMMENT 7:

Page 4, Par. E: "The remaining eight historical sites (nos. 6-13) were closed to dumping in 1973 as a result of coordination between State and Federal agencies subsequent to consideration mandated by the Clean Water Act of 1972." But now you wish to open a new site in the midst of the outlawed sites. Have you repealed the Clean Water Act?? Or must we research the potential violations of the rights of the citizens bordering on this area to be protected from having poisons dumped in their clean water? Do we need a court injunction for a clear violation of the Clean Water Act of 1972??

RESPONSE:

The comment reflects the opinion of the author. The proposed site would be opened in accordance with the provisions of Section 404 of the Clean Water Act and Section 103 of the Ocean Dumping Act.

COMMENT 8:

Final Comment: Your report has exhaustively examined several spots for disposal, studied the bottom composition and aquatic life in great detail, studied the tidal currents, and seems to be adequate for describing the health of the drop zones before the dumping begins. But how can you forecast the resulting damage without knowing in equal detail the composition and tonnage of spoil you expect to dump here?? Nowhere in your report do you present the gory details of the make-up of the contaminants nor the expected volume per year. How can anyone draw an intelligent conclusion as to environmental impact when 2/3 of the equation is omitted. There's a world of difference between a cupful per year and a billion cubic yards per day! Why have you conveniently omitted telling the public just what chemical hazards are likely to end up in our bluefish, our stripped bass, our clams, our lobsters, etc. Tell us about the PCB's, mercury, toxins of all kinds, non-biodegradable chemicals and the unidentifiable industrial wastes that you would perhaps rather not, and did not, mention in this report.

RESPONSE:

The disposal site is proposed as a regional site. It is not the purpose of this report to analyze all types of sediments and expound on the potential impacts in each case. The permit process would determine the acceptability and availability of the site to a prospective applicant on a case by case basis. Stringent ocean dumping requirements may have to be met. General dredging projections of the volume of material have been addressed in response to Comment 1 to letter P34. A general discussion of the contaminants may be found in the Draft Programmatic EIS released in May 1981 in Appendices A and B.

COMMENT 9:

As the average person does not need this report's detailed economic analysis to prove that it is cheaper to drop the spoil 30 miles short, then why must this Environmental Impact Statement even concern itself with the economics? How can you compare dollars saved to so much poisoned water and conclude that it is OK? By whose standard? Neither your biologists nor your financial experts can make that judgment.

RESPONSE:

You are correct, the decision maker will make such a decision. This document presents the environmental and economic consequences.

COMMENT 10:

Since this proposal would constitute a destruction of our precious environment, we must ask you to disapprove the designation of any more dumping sites, especially in the choked-up Western end of Long Island Sound, and that the minimum-impact concept of upland or ashore disposal be vigorously pursued.

RESPONSE:

These disposal alternatives are being studied at the present time by the State of Connecticut and the Corps of Engineers New York District. However, no upland disposal can be considered on a site by site basis; see response to Comment 2, letter L7.

P37: Save Our Stripers - 13 January 1982

COMMENT:

One particular aspect not covered by the Draft Environmental Impact Statement is the transfer up the food chain to such recreationally important finfish species as bluefish, striped bass and weakfish, of PCBs, heavy metals, arsenic and petroleum residues, all toxic.

RESPONSE:

The three species you mention are predators on such prey species as silversides, crustaceans, polychaete worms, and other fish. These and similar food species are tested for bioaccumulation potential as part of the testing requirements of the Ocean Dumping Act. The DEIS acknowledges that mussels have shown short term bioaccumulation near or at the monitored disposal site. However, the biomagnification scenario, i.e. the transfer of contaminants to successfully higher trophic levels in multiples of whole number (e.g. x 2, x 5, x 10), has never been associated with the disposal of dredged materials. Our field studies have shown the short term nature of the release of contaminants and the affinity of the contaminants by the sediments. The elutriate and bioaccumulation tests may be performed on proposed sediments to indicate the potential release to the water column and uptake to organisms. Such tests may indicate the potential for uptake of contaminants which would be a consideration for designation of suitability of open water disposal.

P38: Environmental Action - 14 January 1982

COMMENT 1:

We feel the Corps of Engineers should choose the 'No Action' alternative. Although it might cause some financial hardship to marina owners, Dumping of Dredge spoil should be contained at the New Haven site, and any western site should be abandoned. The WLIS III site would have an unacceptable adverse effect on Lobster and Finfish fisheries and on wildlife. The marine life would become contaminated from the toxics in the dredged material. The Benthos would undergo "short term bioaccumulation of release contaminants." Unfortunately, this group occupies a lower place on the food chain, which means the concentration of contaminants in other organisms that prey on Benthos would be higher. This in turn means that a likely adverse affect on wildlife, including one on human food production, would occur. There can be no successful dilution of contaminants, because there is a trend in marine organisms to concentrate and carry toxic substances. The bioaccumulation cannot be "short term," because it will be passed throughout the food chain; another reason it is not short term is the fact that the mound formed would remain in Long Island Sound, and there must be a long term low level contamination that would occur and that probably occurs now at the New Haven site.

RESPONSE:

See response to letter P38. The long term low level contamination you mention has not been shown to be a problem at current disposal sites. Utilizable fisheries which may use the site as habitat are generally mobile and are not continually exposed to the deposited sediments. Sediment contaminants are generally sequestered in an anoxic sediment environment at the disposal site. Local and short term release

could occur via bioturbation and/or physical disruption by occasional bottom currents. However, studies by Chen et al. (1976) have shown that oxygenation of sediments have been accompanied by a concurrent formation of precipitated ferrous oxides which adsorb released metals instantly. Also the bottom currents would probably dilute the release to background levels. As the DEIS indicates this short term and localized would reoccur until chemical equilibrium is established between the sediment/water interface.

COMMENT 2:

In addition, ENACT feels the use of any of the eastern areas of Long Island Sound are also unacceptable. This too will damage the Long Island Sound ecosystem. If the dredge material was not polluted, there would be little problem finding and using a local dumpsite. The burden of cost to cart contaminated dredged spoils should be shifted away from the marina owners and the taxpayers and toward those who pollute. The Army Corps of Engineers together with the Environmental Protection Agency should work out a long term plan to prevent such pollution.

RESPONSE:

Your comment is acknowledged.

COMMENT 3:

The presence of heavy metals, petrochemicals and their derivatives, and other toxics in our waters cannot be tolerated in any quantities above natural amounts.

RESPONSE:

Your comment is noted. However, the bulk chemical levels of sediment contaminants are not the only criteria for acceptability of open water disposal.

COMMENT 4:

As a concerned organization, ENACT would like to see no usage of WLIS III. We would also like to see standards that would limit pollution caused by boats, industry, and waste. Pollution is not something that can be cured or hidden at the bottom of an ocean; it must be prevented. The contaminants will remain in the Long Island Sound and slowly disperse into the ecosystem over a long period of time. This must have a harmful effect on the ecosystem.

RESPONSE:

The EIS preparation staff acknowledges your opposition to the designations which will be considered by the decision maker.

P39: North Fork Environmental Council, Inc.

COMMENT 1:

More dumping in Long Island Sound cannot be tolerated. After years of dumping in the Sound there came a time when many of these sites were closed and now the proposal is to open another one. According to your office this site is to be used for a period of time to be determined by capacity. And, then what?

RESPONSE:

There are many factors which could effect a decision to close this disposal site. These include capacity, findings of the Corps' monitoring program, development of other feasible alternatives as well as the political climate of the region. Of those factors mentioned, capacity may be the least likely to prompt site closures. However, should the proposed site be closed for any reason, alternative disposal methods and sites would be reassessed in light of the existing situation.

COMMENT 2:

At this time more than one half of the shellfish beds of the Atlantic complex are closed to shellfishing as a result of oil, pesticides and sewage contamination. In addition to the loss of food, there is the loss of millions of dollars to the economy. Should not the protection of our natural resources be the prime responsibility of the Corps? The cost factor of longer transport of spoil can not be equated with the loss of food.

RESPONSE:

The contamination of shellfish beds have been related to domestic and industrial sewage discharges, combined sewage overflows, non-point discharges and not related to the disposal of dredged materials. Dredging of harbors can affect water quality and nearby shellfish grounds. This activity and any considered mitigation measures would be addressed when a specific project is proposed.

COMMENT 3:

The scientific facts as presented in the Draft EIS do not lend themselves to credibility. Studies in the late 1960's to early 1970's are not viable for today's use. The largest loss of land to urban sprawl and development, according to the U.S. Soil Conservation came in the period of time between 1967 to 1977, a loss in New York State of 810,000 ac. Much of this sprawl is in the area of WLIS III. Therefore facts procured in the 60's and 70's would seem obsolete. Also, there are contradictions, i.e., Salla et al, 1968, stated that suspended solids can be toxic to

lobsters while Peddicord and McFarland, 1978 dispute this and yet Smith, 1977 observed that lobsters captured west of Norwalk carried less than 1/4 the normal complement of eggs compared with lobsters from the eastern part of the Sound. These contradictions convince us that there is a great need for additional research before anyone can form a firm and conclusive theory.

RESPONSE:

The comment is not supportable. Twenty-five of the 28 studies cited in the DEIS were published in 1976 and later (mostly later). Your references to the loss of urban land is unclear as to its relation to this study. The inclusion of the Salla et al. (1968) study was an attempt to present a balance review of the literature. A more detailed description of the Salla et al. study which has now been included in the text. The inclusion of Smith's finding was another attempt to present available information. However, the frequency of the abnormality has not been related to dredged material disposal. In addition, lobsters monitored by the New York State Department of Environmental Conservation have not shown the same frequency of incidence.

COMMENT 4:

The sea's were man's first cesspool and sewage treatment plant. However it can not suport it's self purification indefinitely. Long Island Sound is a valuable resource and it has been used as a cesspool for too many years. We strongly urge that this proposal be denied.

RESPONSE:

Your opposition is acknowledged which will be considered by the decision maker.

P40: Echo Bay Boat Yard, Inc. - 17 December 1981

General Comment.

RESPONSE:

The EIS staff thanks you for your review and acknowledges your support.

P41: Long Island Oyster Farms, Inc. - 15 January 1982

COMMENT 1:

We believe our records indicate that dredging and the resulting deposits are often lethal to oyster larvae. We feel this is the accepted professional biological option. Oyster larvae are extremely sensitive to small amounts of silt and other toxic substances, i.e., chemicals, heavy metals, etc.

RESPONSE:

You are correct that oyster larvae, as are other larvae, are sensitive to turbidity and toxicants in the water column. The loss of larvae may even be related to dredging activities. The latter is not addressed in this document because the action is on the designation of a regional dredged material disposal site and not evaluation of specific harbors. We feel, based on the presently available information on the current regime at the site, that no impacts to the coastal shellfish resources are expected. The potential effect on water quality and resultant toxicity to plankton can be assessed in the elutriate and bioassay tests when a project is proposed. This testing along with Connecticut water quality certification and any stipulated mitigation measures would insure the protection of shellfish areas during dredging.

COMMENT 2:

Our philosophy is to cooperate with the environment so that survival of oysters will be as high as possible. Cooperation with the environment is suggested on this project.

Our recommendation is to consider keeping the spoil from Long Island Sound area that are west of the Bayville, New York-Stamford, Connecticut line in that same western area so that the contaminated material will do no further damage to the productive environment in Long Island Sound, but will remain in historically non-productive areas. In other words, no new areas will be involved.

RESPONSE:

Your recommendation is noted and will be considered by the decision maker.

## SECTION VI. LIST OF PREPARERS

<u>Name</u>	<u>Professional Discipline</u>	<u>Education</u>	<u>Experience</u>	<u>Contribution</u>
Christopher Lindsay	Civil Engineer	B.S. Civil Engineering	Dredged Material Management, Regulatory Branch, CE, 4.5 years	Regulatory Project Manager EIS preparation.
B.E. Barrett	Ecologist	Ph.D. Zoology M.S. Zoology B.A. Zoology	Fisheries Research, 3 years Fisheries Management, 3 years Supervisor, Environmental Studies <sup>+</sup> Planning Division CE, 7 years <sup>*</sup>	EIS Project Manager
David Tomey	Ecologist	M.S. Zoology B.A. Biology	Fisheries Research, 1 year Environmental Studies, Planning Division CE, 2.5 years <sup>*</sup>	EIS Preparation and coordination staff.
Jane Wermuth	Economist	B.S. Candidate, Economics & Finance	Regional Economist <sup>+</sup> , Planning Division, CE 1 year <sup>*</sup>	EIS preparation.

<sup>+</sup>Current Position<sup>\*</sup>Total years with Corps of Engineers



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APPENDIX A

LIST OF ORGANISMS  
COLLECTED AT STATION EB-2 AND EB-3  
IN THE VICINITY OF  
WLIS - III

(Serafy et al., 1977)

Experimental Station EB2

Phylum Class or Order Species	Month				
	<u>29-31 Oct**</u>	<u>6 Dec</u>	<u>21 Jan</u>	<u>20 Feb</u>	<u>1 Apr</u>
Cnidaria					
Hydrozoa					
<u>Campanularia angulata</u>		*			
<u>Campanularia sp.</u>	*	*			
<u>Clytia longicyatha</u>				*	
<u>Thuiaria argentea</u>		*		*	*
<u>Thuiaria similis</u>		*		*	*
<u>Campanularidae sp.</u>					*
<u>Obelia sp.</u>					*
<u>Podocoryne carnea</u>					*
<u>Tubularidae sp.</u>					*
Anthozoa					
<u>Ceriantheopsis americanus</u>		0.7		0.7	0.3
Nemertea					
<u>Cerebratulus lacteus</u>			1.3	0.7	0.3
<u>Cerebratulus sp.</u>		1.3			
<u>Micrura sp.</u>		0.7			
<u>Tubulanus pellucidus</u>	28	1.3		3.3	0.3
Nematoda					
Sp. unidentified	2	2.7	0.7		

\* Present, but not quantified.

\*\*October value is not a mean since only one replicate was collected.

Experimental Station EB2 (continued)

Phylum Class or Order Species	Month				
	<u>29-31 Oct**</u>	<u>6 Dec</u>	<u>21 Jan</u>	<u>20 Feb</u>	<u>1 Apr</u>
Ectoprocta					
<u>Callopora aurita</u>		*			*
<u>Cribrilina punctata</u>			*		*
<u>Membranipora tenuis</u>		*		*	*
<u>Microporella sp.</u>		*			
<u>Schizoporella unicornis</u>		*			
<u>Bowerbankia gracilis</u>					*
Mollusca					
Gastropoda					
<u>Crepidula fornicata</u>		2.7			
<u>Crepidula plana</u>		4.7		0.7	
Bivalvia					
- <u>Mulinia lateralis</u>		0.7		7.3	1.0
<u>Nucula proxima</u>					0.3
Annelida					
Polychaeta					
<u>Ampharete arctica</u>	4				0.3
- <u>Asabellides oculata</u>	6				
<u>Autolytus sp.</u>	2	0.7			
<u>Cirratulidae sp.</u>	2				
<u>Clymenella torquata</u>	2				
<u>Cossura longocirrata</u>	4	0.7			
<u>Flabelligera affinis</u>				1.3	



Experimental Station EB2 (continued)

Phylum Class or Order Species	Month				
	29-31 Oct**	6 Dec	21 Jan	20 Feb	1 Apr
<u>Mediomastus ambiseta</u>	— 222	32.7	13.3		
<u>Nephtys incisa</u>	8	3.3	3.3	6.0	2.7
<u>Pherusa affinis</u>		0.7			
<u>Phyllodoce arenae</u>				0.7	
<u>Polygordius triestinus</u>	2	0.7			
<u>Sigambra tentaculata</u>			0.7		
<u>Streblospio benedicti</u>	8				
<u>Glycera americana</u>					0.3
<u>Sabellaria vulgaris</u>					3.0
Oligochaeta					
Sp. unidentified	— 44	7.3			
Arthropoda					
Copepoda					
Calanoida sp.					0.3
<u>Temora longicornis</u> (pelagic)				0.7	1.3
Amphipoda					
<u>Corophium tuberculatum</u>		3.3			
<u>Erichthonius brasiliensis</u>		3.3			0.3
<u>Paracaprella tenuis</u>					0.3
<u>Parametopella cypris</u>	2	0.7		3.0	0.3
<u>Unciola irrorata</u>				0.7	

Experimental Station EB2 (concluded)

Phylum Class or Order Species	Month				
	<u>29-31 Oct**</u>	<u>6 Dec</u>	<u>21 Jan</u>	<u>20 Feb</u>	<u>1 Apr</u>
Decapoda		0.7			
<u>Cancer irroratus</u>		0.7			
<u>Pagurus longicarpus</u>		0.7			
<u>Panopeus herbsti</u>					0.3
<u>Pagurus pollicaris</u>					

Experimental Station EB3

Phylum Class or Order Species	Month				
	<u>29-31 Oct**</u>	<u>6 Dec</u>	<u>21 Jan</u>	<u>20 Feb</u>	<u>1 Apr</u>
Cnidaria					
Anthozoa					
<u>Metridium senile</u>		0.7			
Nemertea					
<u>Amphiporus caecus</u>		1.3			
<u>Carinoma</u> sp.		0.7		0.7	
<u>Cerebratulus lacteus</u>			0.7	2.0	
<u>Cerebratulus luridus</u>		1.3			
<u>Tubulanus pellucidus</u>	4	2.0	1.3	1.3	0.7
Nematoda					
Sp. unidentified		0.7		0.7	3.7
Ectoprocta					
<u>Alcyonidium verrilli</u>		*			
<u>Membranipora tenuis</u>		*			
Mollusca					
Gastropoda					
<u>Crepidula fornicata</u>		1.3			
<u>Retusa obtusa</u>		0.7			

\* Present, but not quantified.

\*\*October value is not a mean since only one replicate was collected.

Experimental Station EB3 (continued)

Phylum Class or Order Species	Month				
	<u>29-31 Oct**</u>	<u>6 Dec</u>	<u>21 Jan</u>	<u>20 Feb</u>	<u>1 Apr</u>
<u>Bivalvia</u>					
<u>Lyonsia hyalina</u>		0.7			
<u>Mulinia lateralis</u>		100.7	29.3	6.0	1.7
<u>Nucula proxima</u>		2.7	0.7	2.0	4.7
<u>Petricola pholadiformis</u>		0.7			
<u>Pitar morrhuana</u>		0.7			
<u>Tellina agilis</u>		12.0			
<u>Yoldia limatula</u>		0.7			
<u>Annelida</u>					
<u>Polychaeta</u>					
<u>Nephtys incisa</u>	6		3.3		
<u>Amphitrite affinis</u>		0.3			
<u>Aricidea cerruti</u>		0.7			
<u>Axiiothella catenata</u>		12.7			
<u>Cirratulus grandis</u>		1.3			
<u>Glycera americana</u>		0.7		0.7	0.7
<u>Mediomastus ambiseta</u>		1.3			
<u>Nephtys incisa</u>		4.0		1.3	0.7
<u>Polygordius triestinus</u>		6.0	0.7		
<u>Pherusa affinis</u>				0.7	
<u>Microphthalamus sczelkowi</u>					0.3
<u>Oligochaeta</u>					
Sp. unidentified		1.3			

Experimental Station EB3 (concluded)

Phylum Class or Order Species	Month				
	<u>29-31 Oct**</u>	<u>6 Dec</u>	<u>21 Jan</u>	<u>20 Feb</u>	<u>1 Apr</u>
Arthropoda					
Cephalocarida					
<u>Hutchinsoniella macracantha</u>		6.7		5.3	
Ostracoda					
<u>Sarsiella americana</u>		2.0			
Copepoda					
<u>Temora longicornis</u> (pelagic)					1.7
Amphipoda					
<u>Parametopella cypris</u>		1.3			
<u>Unciola irrorata</u>		0.7			
<u>Ampelisca vadorum</u>			1.3		
Decapoda					
<u>Cancer irroratus</u>		0.7			
<u>Pagurus longicarpus</u>		0.7			
<u>Pinnixa sayana</u>		0.7			

APPENDIX B

LIST OF FINFISH  
SPECIES COLLECTED IN THE VICINITY OF  
WLIS - III

Modified from Valenti and Peters, 1977

COMMON NAMESCIENTIFIC NAME

Windowpane	<u>Scopthalmus aquosus</u>
Scup	<u>Stenotomus chrysops</u>
Winter Flounder	<u>Pseudopleuronectes americanus</u>
Striped Searobin	<u>Prionotus evolans</u>
Northern Searobin	<u>Prionotus carolinus</u>
Butterfish	<u>Peprilus triacanthus</u>
Smooth Dogfish	<u>Mustelus canis</u>
Spiny Dogfish	<u>Squalus acanthias</u>
Tautog	<u>Tautoga onitis</u>
Bluefish	<u>Pomatomus saltatrix</u>
Weakfish	<u>Cynoscion regalis</u>
Silverhake	<u>Merluccius bilinearis</u>
Cunner	<u>Tautoglabrus adspersus</u>
Fourspot Flounder	<u>Paralichthys oblongus</u>
Atlantic Moonfish	<u>Vomer setapinnis</u>
Alewife	<u>Alosa pseudoharengus</u>
Blueback Herring	<u>Alosa aestivalis</u>
Red Hake	<u>Urophycis chuss</u>
Longhorn Sculpin	<u>Myoxocephalus octodecemspinosus</u>
Hogchoker	<u>Trinectes maculatus</u>
Little Skate	<u>Raja erinacea</u>
Summer Flounder	<u>Paralichthys dentatus</u>
Black Seabass	<u>Centropristis striata</u>
Atlantic Silverside	<u>Menidia menidia</u>
Hake	<u>Urophycis sp.</u>
Atlantic Menhaden	<u>Brevoortia tyrannus</u>
Sea Raven	<u>Hemitripterus americanus</u>
Ocean Pout	<u>Macrozoarces americanus</u>
Grubby	<u>Myoxocephalus anenaeus</u>
Atlantic Herring	<u>Clupea harengus</u>
Rainbow Smelt	<u>Osmerus mordax</u>
Shorthorn Sculpin	<u>Myoxocephalus scorpius</u>
Bay Anchovy	<u>Anchoa mitchilli</u>
Spotted Hake	<u>Urophycis regius</u>
Fourbeard Rockling	<u>Enchelyopus cimbrius</u>
Atlantic Tomcod	<u>Microgadus tomcod</u>
Atlantic Mackerel	<u>Scomber scombrus</u>

APPENDIX C

COMMENT LETTERS ON THE DRAFT EIS



FPC1

FC1

RICHARD L. OTTINGER  
24TH DISTRICT, NEW YORK

COMMITTEES:  
ENERGY AND COMMERCE  
SCIENCE AND TECHNOLOGY

**Congress of the United States**  
**House of Representatives**

Washington, D.C. 20515

December 22, 1981

- REPLY, IF ANY TO:
- ☐ 2241 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, D.C. 20515  
(202) 225-6506
  - DISTRICT OFFICES:
  - ☐ 77 QUAKER RIDGE ROAD  
NEW ROCHELLE, NEW YORK 10804  
(914) 235-5600
  - ☐ 100 STEVENS AVENUE  
SUITE 202  
MOUNT VERNON, NEW YORK 10550  
(914) 699-2886

Lt. Colonel C. E. Edgar III  
Division Engineer  
Department of the Army  
New England District Corps of Engineers  
424 Trapelo Road  
Waltham, Massachusetts 02154

Dear Lt. Colonel Edgar:

I wish to go on record in strong support of the Environmental Impact Statement regarding WLIS III.

The need for an environmentally safe disposal site in Western Long Island Sound has reached critical proportions. The harbors and waterfront areas of Westchester County, nearby Long Island, and lower Connecticut desperately need dredging to maintain and foster current and future recreational and commercial needs. The Mamaroneck projects in my district are an example of some of the needs which must be satisfied economically as well as environmentally.

The States of New York and Connecticut, as well as the Army Corps of Engineers early in 1981 reviewed the bioassay and other tests performed on the proposed Mamaroneck dredged materials and granted permits for the disposal of these spoils in Long Island Sound to be acceptable environmentally and ecologically. Both the States of New York and Connecticut have indicated their approval of the issuing of permits for disposal of the Mamaroneck spoils at WLIS III when it is opened. The substantial dollar savings by disposal at WLIS III as opposed to New Haven will make the difference between many dredging projects in the Long Island Sound shore areas going forward or not.

I urge the speedy opening of the WLIS III disposal site. Any delay and/or denial would not be in the best interests of the Western Long Island Sound Shore communities and would seriously jeopardize their dredging projects and the viability of their waterfront facilities.

Sincerely,

  
Richard L. Ottinger  
Member of Congress

RLO:bt

ROBERT T. STAFFORD, VT., CHAIRMAN  
 HOWARD H. BAKER, JR., TENN.  
 PETE V. DOMERICK, N. MEA.  
 JOHN H. CHAFFET, N.J.  
 ALAN H. SCHAFER, WYO.  
 JAMES ABRAMS, S. DAK.  
 STEVE SYMMES, IDAHO  
 BLADE GORTON, WASH.  
 FRANK H. MURKIN, ALASKA  
 JENNINGS WAREDOLOFF, W. VA.  
 LLOYD BENTLEY, TEX.  
 GUSTIN H. BURCHER, N. DAK.  
 GARY HART, COLO.  
 DANIEL PATRICK MOYNIHAN, N.Y.  
 GEORGE J. MITCHELL, MAINE  
 MAX BAUCUS, MONT.  
 BAILEY GARD, STAFF DIRECTOR  
 JOHN W. YAGO, JR., MINORITY STAFF DIRECTOR

## United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS  
 WASHINGTON, D.C. 20510

January 5, 1982

C.E. Edgar III  
 Lt. Colonel, Corps of Engineers  
 Division Engineer  
 Department of the Army  
 New England District Corps of Engineers  
 424 Trapelo Road  
 Waltham, Massachusetts 02154

Dear Colonel Edgar:

I write to you once again to support the opening of the Western Long Island Sound dredge disposal site designated WLIS III. Based on the evidence presented in the draft environmental impact statement, I believe the proposed site offers an economically and environmentally sound alternative to those now available to Western Long Island Sound communities.

As you know, laws and regulations now are in force to protect the delicate ecological balance of the Sound from the harmful effects of toxic materials. All material dumped at the WLIS III site would be subjected to the bioassay and bioaccumulation tests required for disposal in navigable and ocean waters. The material to be dumped from the Mamaroneck communities would not be exempted from these very stringent standards.

This is a matter of great importance to the residents of Western Long Island Sound shore communities. As the Senator from New York, I of course also represent the interests of the North Shore on Long Island. I share their concerns about the dumping of toxics in the Sound and indeed have supported their efforts in the past to impose the strictest standards on dredge disposal in the Sound. With those protections in place, I believe the Corps may safely conclude that opening the WLIS III site is justified. I urge you to make a timely decision on this question.

May I extend to you my compliments for your deliberate and cautious approach to this difficult matter.

Sincerely,



Daniel Patrick Moynihan



**CONGRESS OF THE UNITED STATES**  
**HOUSE OF REPRESENTATIVES**  
 WASHINGTON, D.C. 20515

AM GEJDENSON  
 2D DISTRICT  
 CONNECTICUT

COMMITTEES:  
 FOREIGN AFFAIRS  
 INTERIOR

January 4, 1982

Mr. David Tomey  
 New England Corps of Engineers  
 424 Trapelo Road  
 Waltham, MA 02254

RE: NEDPL-I

This letter is in response to the Draft Environmental Impact Statement for the designation of a disposal site for dredged material in Western Long Island Sound, WLIS III.

It is my perception that neither of the two potential sites is considered optimal. I understand the constraints that the Corps of Engineers must operate under as well as the financial burden incurred by marinas in using distant disposal sites.

My major concern with designating WLIS III as the disposal site is its proximity to past disposal sites. I am concerned that this proximity to past sites and the concentration of past dredged material could possibly create a toxic environment for lobster beds and related fisheries. Considering that at least 1% of the sediment is suspended throughout Long Island Sound, there seems to be a latent danger for the accumulation of heavy metals and other toxic material found in harbor dredge material.

My preference for a site, based on this DEIS, would be site A, known as Bridgeport East. While both sites pose potential environmental degradation, I believe that Site A may be the lesser of two evils. This is due to its relative isolation from past disposal sites.

Although the total cost of Site A is higher than WLIS III, the effects of increased concentrations of dredge material are alleviated. I understand that the costs of this site weigh heavily upon the users of small marinas. But the costs could never be as great as the potential accumulation of toxic materials in Western Long Island Sound and their effects upon indigenous fisheries.

Accordingly, I submit this letter for the record in support of site A, the Bridgeport East Site.

WASHINGTON OFFICE:  
 1503 LONGWORTH BUILDING  
 WASHINGTON, D.C. 20515  
 (202) 225-2076

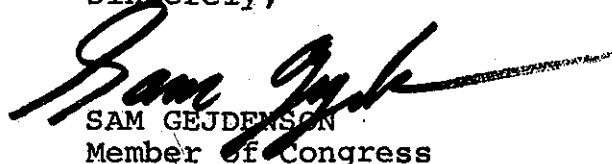
NORWICH OFFICE:  
 P.O. BOX 2000  
 NORWICH, CONNECTICUT 06360  
 (203) 886-0139

MIDDLETOWN OFFICE:  
 94 COURT STREET  
 MIDDLETOWN, CONNECTICUT 06457  
 (203) 346-1123

Mr. David Tomey  
Page 2  
1/4/82

Thank you for the opportunity to submit these  
comments.

Sincerely,

  
SAM GEJDENSON  
Member of Congress

GREGORY W. CARMAN  
THIRD DISTRICT, NEW YORK

COMMITTEES:  
BANKING, FINANCE AND URBAN  
AFFAIRS

SUBCOMMITTEES:  
INTERNATIONAL TRADE, INVESTMENT  
AND MONETARY POLICY  
HOUSING AND COMMUNITY  
DEVELOPMENT

GENERAL OVERSIGHT AND  
RENEGOTIATION  
CONSUMER AFFAIRS

SELECT COMMITTEE ON AGING

SUBCOMMITTEES:  
RETIREMENT INCOME AND EMPLOYMENT  
HOUSING AND CONSUMER INTERESTS

**Congress of the United States**  
**House of Representatives**  
**Washington, D.C. 20515**

January 7, 1982

WASHINGTON OFFICE:  
1729 LONGWORTH HOUSE OFFICE BUILDING  
WASHINGTON, D.C. 20515  
(202) 225-3865

DISTRICT OFFICE:  
322A MAIN STREET  
HUNTINGTON, NEW YORK 11743  
(516) 549-8400

Colonel C.E. Edgar, III  
U.S. Army Corps of Engineers  
424 Trapelo Road  
Waltham, Massachusetts 02254

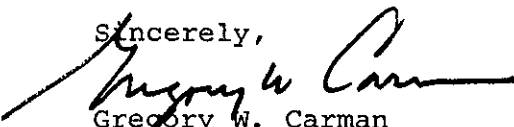
Dear Colonel Edgar,

After a careful review of your Draft Environmental Impact Statement for the Designation of a Disposal Site for Dredged Material in Western Long Island Sound (WLIS III), I would like to reiterate my strong opposition to any dumping of dredged spoil in the Long Island Sound. It is my belief that the dumping of potentially hazardous and toxic wastes in the Sound could have a detrimental impact on the environment and the offshore fishing industry.

Of particular concern is the existence of heavy metals, industrial wastes, and various chemicals which have been found in previous, supposedly safe, dumpings. Although the Army Corps of Engineers contends that the discharge of dredged material would cause a temporary "loss of habitat and forage" in the affected area, it is apparent to me that this dumping site is permanent and could prove to have disastrous long range consequences for the area. Long Island cannot afford the potential impacts of such an action.

In closing, I strongly urge the Army Corps of Engineers to reconsider its decision to dump dredged materials in the Long Island Sound, and am hopeful it will discover an alternative that will not prove to be a threat to the environment or the health of Long Island residents.

Sincerely,

  
Gregory W. Carman  
Member of Congress

cc: The President  
Interior Secretary James Watt  
LTG Joseph K. Bratton

GWC:Lj

CHARLES H. PERCY, R.I., CHAIRMAN

HOWARD H. BAKER, JR., TENN.

JESSE HELMS, N.C.

S. I. HAYAKAWA, CALIF.

RICHARD G. LUGAR, IND.

CHARLES MC C. MATHIAS, JR., MD.

NANCY L. KASSEBAUM, KANS.

RUDY BOSCHWITZ, MINN.

LARRY PRESSLER, S. DAK.

CLAIBORNE PELL, R.I.

JOSEPH R. BIDEN, JR., DEL.

JOHN GLENN, OHIO

PAUL S. SARBANES, MD.

EDWARD ZORINSKY, NEBR.

PAUL E. TSONGAS, MASS.

ALAN CRANSTON, CALIF.

CHRISTOPHER J. DODD, CONN.

EDWARD G. SANDERS, STAFF DIRECTOR  
GARYL D. CHRISTIANSON, MINORITY STAFF DIRECTOR

## United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, D.C. 20510

January 11, 1982

Lieutenant Colonel C. E. Edgar, III  
 Division Engineer  
 Department of the Army  
 New England District Corps of Engineers  
 424 Trapelo Road  
 Waltham, Massachusetts 02154

Dear Colonel Edgar:

As Senator Dodd is currently out of the country on official business with the Senate Foreign Relations Committee, I have taken the liberty of writing to you on his behalf and in regard to the environmental impact of the proposed disposal site in Western Long Island Sound (WLIS III).

The need for an environmentally safe disposal site in this area is crucial to the maintenance of valuable state resources. The accumulation of silt has restricted the activities of the southern Connecticut waterfront areas by rendering them unusable during low tides.

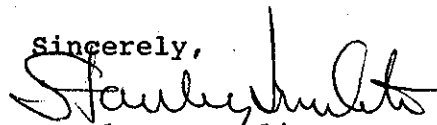
According to studies performed by the Connecticut Department of Environmental Protection, and I believe your office as well, the WLIS III site is considered environmentally safe and economically reasonable. The studies indicate that the dumping of dredged materials under present regulations will not be harmful to breeding habitats of either shell or fin fish. Furthermore, WLIS III would provide a substantial savings in transportation costs over the presently used New Haven site.

Given the need for dredging and its apparent economical and environmental advantages, I would like to convey to you the Senator's support for the opening of the WLIS III disposal site.

Thank you for accepting these comments and I will appreciate your keeping the Senator informed of further developments in this regard.

in reply: 1 Landmark Square  
 Stamford, CT. 06901

Sincerely,

  
 Stanley Israelite  
 State Director for  
 CHRISTOPHER J. DODD  
 United States Senator



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION I

J. F. KENNEDY FEDERAL BUILDING, BOSTON, MASSACHUSETTS 02203

January 11, 1982

Colonel C. E. Edgar, III  
Division Engineer  
New England Division  
U.S. Army Corps of Engineers  
424 Trapelo Road  
Waltham, MA 02254

RE: D-COE-B35011-00

Dear Colonel Edgar:

In accordance with Section 309 of the Clean Air Act, the National Environmental Policy Act, and Section 404 of the Clean Water Act, we have completed our review of the Draft Environmental Impact Statement (EIS) for the Designation of a Disposal Site for Dredged Material in Western Long Island Sound - WLIS III. This Draft EIS has been rated LO-1 in accordance with our national EIS rating criteria, a copy of which is enclosed.

We support the proposed designation of Western Long Island Sound III (coordinates 40° 58.8' - 40° 00' N; 73° 27.8' - 29.5' W) as a regional dredged material disposal site to service the Western Long Island Sound area. We believe this action to be satisfactory from the standpoint of environmental quality, health and welfare, within EPA's areas of jurisdiction and expertise.

Thank you for the opportunity to review the Draft EIS. Please send two copies of the Final EIS when it becomes available.

Sincerely,

  
Wallace E. Stickney, P.E.  
Director, Environmental Impact Office

Enclosure

cc: Joseph L. Ignazio, Chief, Planning Division, COE  
David Toney, Impact Analysis Branch, COE

EXPLANATION OF EPA RATINGEnvironmental Impact of the Action

## LO -- Lack of Objections

EPA has no objections to the proposed action as described in the draft environmental impact statement; or suggests only minor changes in the proposed action.

## ER -- Environmental Reservations

EPA has reservations concerning the environmental effects of certain aspects of the proposed action. EPA believes that further study of suggested alternatives or modifications is required and has asked the originating federal agency to reassess these aspects.

## EU -- Environmentally Unsatisfactory

EPA believes that the proposed action is unsatisfactory because of its potentially harmful effect on the environment. Furthermore, the Agency believes that the potential safeguards which might be utilized may not adequately protect the environment from hazards arising from this action. The Agency recommends that alternatives to the action be analyzed further (including the possibility of no action at all).

---

Adequacy of the Impact Statement

## Category 1 -- Adequate

The draft environmental impact statement sets forth the environmental impact of the proposed project or action as well as alternatives reasonably available to the project or action.

## Category 2 -- Insufficient Information

EPA believes that the draft environmental impact statement does not contain sufficient information to assess fully, the environmental impact of the proposed project or action. However, from the information submitted, the Agency is able to make a preliminary determination of the impact on the environment. EPA has requested that the originator provide the information that was not included in the draft environmental impact statement.

## Category 3 -- Inadequate

EPA believes that the draft environmental impact statement does not adequately assess the environmental impact of the proposed project or action, or that the statement inadequately analyzes reasonably available alternatives. The Agency has requested more information and analysis concerning the potential environmental hazards and has asked that substantial revision be made to the impact statement.

If a draft environmental impact statement is assigned a Category 3, no rating will be made of the project or action; since a basis does not generally exist on which to make such a determination.





DEPARTMENT OF THE ARMY  
NEW YORK DISTRICT, CORPS OF ENGINEERS  
26 FEDERAL PLAZA  
NEW YORK, N. Y. 10278

REPLY TO  
ATTENTION OF:

NANPL-E

S: 15 JAN 82

13 January 1982

SUBJECT: DEIS for the Designation of a Disposal Site for Dredged  
Material in Western Long Island Sound - WLIS III

Commander, New England Division, Corps of Engineers  
ATTN: NEDPL-I  
424 Trapelo Road  
Waltham, Massachusetts 02254

1. This is in response to NEDPL-I transmittal letter dtd 14 Dec 81 requesting review and comments on subject DEIS. The following comments are provided:
2. It is stated that it constitutes an economic hardship for western LIS applicants to dump at the central LIS disposal site. On what basis has it been demonstrated that applicants cannot meet the additional cost? It is not indicated whether a determination of "Reasonable Incremental Cost", as required by the ocean dumping regulations has been accomplished for the areas/projects in question.
3. P 8 - It should be noted whether concentration of metals in ppm is by weight or volume. Preferentially, they should be expressed as mg/Kg.
4. p 10 - 1st para. - SCUP and PORGY are same species (Stenotomus chrysops).
5. p 11 - 3rd para, last sentence - On what basis is this statement justified?
6. p 17 - 3rd para - 2nd sentence - A source should be provided to support this statement.
7. p 17 - 4th para - An explanation should be provided. Does this paragraph refer to commercial otter trawling? What exactly is proposed? Also, what would be the economic loss (if any) to finfishermen if this disposal site were designated and used?
8. Figure 3 - The source of this lobster habitat data should be indicated.

FOR THE COMMANDER:

*Samuel P. Tosi*  
SAMUEL P. TOSI

Acting Chief, Planning Division



Cornell University  
State University of New York  
U.S. Department of Agriculture

SEA GRANT ADVISORY SERVICE  
National Oceanic and  
Atmospheric Administration cooperating



15 January 1982

Division Engineer  
U.S. Army Corps of Engineers  
424 Trapelo Road  
Waltham, Massachusetts 02254

Dear Sir:

At the request of Mr. David Relyea of Frank M. Flower and Sons of Bayville, New York, I have reviewed the December 1981 DEIS for the designation of a disposal site for dredged material in western Long Island Sound WLIS III, and have several concerns on the potential impact of this project.

My first concern relates to the bacterial, viral, and fungal composition of the dredged material and its potential to contaminate shellfish resources presently unaffected by these organisms. Unlike conservative properties such as sediment and metals, these living forms can readily multiply and might be dispersed via advection and diffusion to large areas of the Sound. This could potentially impact closely located valuable shellfish beds.

My second concern is that shellfish contained in the spoil material might be a potential health hazard. The source areas for spoil material are often closed to shellfishing because of polluted waters. Transfer of dredged material from these waters by clamshell bucket might include shellfish uncertified for harvesting. Movement of these shellfish to an area certified for harvesting could potentially place them in a pathway to human consumption (see attached). It might also be of interest to see how such transfer of shellfish relates to legal regulations on movement of shellfish across state boundaries, if this is to occur.

My third concern is that presently hard clams are taken from deep water areas in Long Island Sound and placed in Great South Bay to augment the natural spawning effort of this resource. Will subsequent contamination of the \$14 million clam resource in Great South Bay occur?

I hope you can find time to investigate these concerns. Please feel free to contact me if I can be of help.

Respectfully,

Christopher F. Smith  
Sea Grant Extension Specialist

CF/mjh

**A Case Study on the**

**TRANSMISSION  
OF INFECTIOUS  
HEPATITIS  
By RAW CLAMS**

**Report from Greenwich, Connecticut**

Mila E. Rindge, M.D., M.P.H.

J. David Clem, B.S.C.E.

Robert E. Linkner, B.S., M.S.C.E.

Leslie K. Sherman, B.S., M.S.

Sanitary Engineering Services and Epidemiology Section  
Connecticut State Department of Health  
and Shellfish Sanitation Branch  
Division of Environmental Engineering and Food Protection  
U.S. Public Health Service

U.S. DEPARTMENT OF  
HEALTH, EDUCATION, AND WELFARE  
Public Health Service  
Washington, D.C.

*Text to Follow*



**GENERAL COUNSEL OF THE  
UNITED STATES DEPARTMENT OF COMMERCE**  
Washington, D.C. 20230

18 JAN 1982

Mr. C. E. Edgar, III  
Colonel, Corps of Engineers  
Department of the Army  
424 Trapelo Road  
Waltham, Massachusetts 02254

Dear Mr. Edgar:

This is in reference to your draft environmental impact statement entitled "Dredged Material in Western Long Island Sound-WLIS III." The enclosed comments from the National Oceanic and Atmospheric Administration are forwarded for your consideration.

Thank you for giving us an opportunity to provide these comments, which we hope will be of assistance to you. We would appreciate receiving four copies of the final environmental statement.

Sincerely,

*William B. Sullivan*  
for

Robert T. Miki  
Director of Regulatory Policy

Enclosure: Memo from Hal Stanford  
Office of Marine Pollution Assessment  
State University of New York  
National Oceanic and Atmospheric  
Administration



F4-1

UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
OFFICE OF MARINE POLLUTION ASSESSMENT  
Northeast Office  
State University of New York  
Stony Brook, New York 11794

DATE: January 15, 1982

TO : PP/EC - Joyce Wood

FROM: RD/MPF26 - Hal Stanford *Hal Stanford*

SUBJ: DEIS 8201.02 -- Western Long Island Sound, MLIS III (Designation of a Disposal Site for Dredged Material)

Subject DEIS, forwarded 11 January 1982 by you, was received late afternoon 14 January 1982. The following comments are provided to you directly, due to the one-day turnaround time required, and should be considered preliminary in nature.

1. There are so many typographical and other printing errors, that it is sometimes difficult to understand what is there.

2. More importantly, the DEIS is unsatisfactory, as presented. The descriptions of the sites are suitable. However, the potential impacts will depend upon the quantity and quality (both physical and chemical) of the dredged material actually dumped (now, projected to be dumped). (The environment will act upon the material in a way that is dependent on its character, and the manner by which it is dumped. In turn, the ecosystem will respond to the resultant -- as a function of time.) There is nothing really in the DEIS on the nature of the material to be dumped. While it is true that there was some information on this contained in the Draft Programmatic Environmental Impact Statement (DPEIS), there were some shortcomings -- which were pointed out in a response to that document.

cc: J. Kravitz  
A. Robertson

RECEIVED  
JAN 19 10 04 AM '82  
SECRET





DEPARTMENT OF TRANSPORTATION  
UNITED STATES COAST GUARD

Commander (dpl)  
Third CG District  
Governors Island, NY  
(212) 668-6343 10004

16475.3/2-82  
21 January 1982

Mr. David Tomey  
U. S. Army Corps of Engineers  
New England Division  
424 Trapelo Road  
Waltham, MA 02254

Re: Draft EIS, Dredged Material Disposal Site Designation in Western  
Long Island Sound

Dear Mr. Tomey:

We have reviewed the subject document, and have determined that the proposed site and vessel traffic to and from it should pose no hazard to navigation.

Thank you for the opportunity to comment on this document.

Sincerely,

JAY SILBERMAN  
Environmental Protection Specialist  
District Planning Office  
By direction of the District Commander



It's a law we  
can live with.



THE ASSEMBLY  
STATE OF NEW YORK

ALBANY, N.Y.

JOHN M. PERONE  
Assemblyman 91st District  
Westchester County  
Legislative Office Bldg.  
Albany, N.Y. 12248  
(518) 455-5878

DISTRICT OFFICE  
315 Westchester Ave.  
Port Chester, N.Y. 10573

DISTRICT PHONE  
(914) 939-1908

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Program Committee

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Environmental Conservation

SUBCOMMITTEES  
Utility Rates and  
Public Service  
Mass Transit and  
Rail Freight Operations

December 21, 1981

C. E. Edgar III  
Lt. Colonel, Corps of Engineers  
Department of the Army  
New England District Corp of Engineers  
424 Trapelo Road  
Waltham, MA 02154

RE: DRAFT ENVIRONMENTAL IMPACT STATE-  
MENT - Designation of a disposal  
site for dredged materials for  
Western Long Island Sound - WLIS III

Dear Lt. Colonel Edgar:

As a member of the New York State Committee on Environmental Conservation and an Assemblyman from the Sound Shore communities in Westchester County, I am writing in support of the Environmental Impact Statement regarding WLIS III.

The Connecticut State Department of Environmental Protection, who proposed the site, and the New York State Department of Environmental Conservation has gone on record as favoring the opening of WLIS III. Commissioner Pac of the Connecticut Department of Environmental Protection wrote that "...WLIS III provides a practicable disposal option for materials judged suitable for open-water disposal...would not impact existing lobster resources...is far removed from lobster and oyster grounds and will not conflict with other known uses of the area...and would increase the areas holding capacity for lobster and finfish by improving the habitat diversity of the otherwise featureless muddy bottom."

Numerous national, state and local elected representatives have gone on record as endorsing this site, both in writing and during testimony on the Public Notice and Public Hearing #24-81-563.

The need for an environmentally safe disposal site in Western Long Island Sound has reached critical proportions. The harbors and waterfront areas of lower Connecticut, Westchester County and near-by Long Island desperately need dredging to maintain and foster current and future recreational and commercial needs. The Mamaroneck projects are an example of some of the needs which must be satisfied economically as well as environmentally.



**THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY**

**JOHN M. PERONE**  
Assemblyman 91st District  
Westchester County  
Legislative Office Bldg.  
Albany, N.Y. 12248  
(518) 455-5878

**DISTRICT OFFICE**  
315 Westchester Ave.  
Port Chester, N.Y. 10573

**DISTRICT PHONE**  
(914) 939-1908

**VICE CHAIRMAN**  
Program Committee

**COMMITTEES**  
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Commissions  
Education  
Environmental Conservation

**SUBCOMMITTEES**  
Utility Rates and  
Public Service  
Mass Transit and  
Rail Freight Operations

-2-

December 21, 1981

The States of Connecticut and New York, as well as the Army Corps of Engineers early in 1981 reviewed the bioassay and other tests performed on the proposed Mamaroneck dredged materials and granted permits for the disposal of these spoils in Long Island Sound off New Haven. These agencies have deemed the disposal of such spoils in Long Island Sound to be acceptable environmentally and ecologically. Both the States of Connecticut and New York have indicated their approval of the issuing of permits for disposal of the Mamaroneck spoils at WLIS III when it is opened. The substantial dollar savings by disposal at WLIS III as opposed to New Haven will make the difference between many dredging projects in the Long Island Sound shore areas going forward or not.

I urge the speedy opening of the WLIS III disposal site. Any delay and/or denial would not be in the best interests of the WLIS Sound Shore Community and would seriously jeopardize their dredging projects and in turn the use of the waterfront facilities.

Very truly yours,

*John M. Perone*  
John M. Perone  
State Assemblyman

JMP:lb

cc: Senator Joseph Pisani  
Mr. Dan Natchez  
Mayor and Board Village of Mamaroneck  
Mayor and Board Village of Port Chester  
Mayor and Board Village of Larchmont  
Mayor and City Council New Rochelle





JOSEPH R. PISANI  
38TH DISTRICT  
WESTCHESTER COUNTY

THE SENATE  
STATE OF NEW YORK  
ALBANY

☐ PLEASE REPLY TO  
SENATE OFFICE:  
ROOM 505, THE CAPITOL  
ALBANY, N.Y. 12247  
TEL: 518/455-2831

☐ DISTRICT OFFICE:  
251 NORTH AVENUE  
NEW ROCHELLE, N.Y. 10801  
TEL: 914/633-7090

December 28, 1981

Lt. Col. C.E. Edgar  
Army Corps of Engineers  
New England District  
424 Trapelo Road  
Waltham, Massachusetts 02154

Re: Draft Environmental Impact Statement - Designation  
of a disposal site for dredged materials for  
Western Long Island Sound - WLIS III

Dear Lt. Col. Edgar:

The Connecticut State Department of Environmental Protection and the  
New York State Department of Environmental Conservation have gone on record  
as favoring the opening of WLIS III.

National and local representatives, as well as I and some of my colleagues,  
have concurred and gone on record as in favor of the site.

An environmentally safe disposal site is imperative in Western Long Island  
Sound. I urge your concurrence and the expeditious opening of the WLIS disposal  
site!

Sincerely,

  
Joseph R. Pisani  
State Senator

JRP/cjc



THE SENATE  
STATE OF NEW YORK  
ALBANY 12247

JAMES J. LACK  
2ND DISTRICT  
CHAIRMAN  
COMMITTEE ON ELECTIONS

IF INDICATED, PLEASE RESPOND TO  
DISTRICT OFFICE:  
(X) 3942 NEW YORK STATE OFFICE BUILDING  
VETERANS MEMORIAL HIGHWAY  
HAUPPAUGE, NEW YORK 11787  
516-979-5355  
HUNTINGTON TIE LINE:  
421-3737

January 14, 1982

Colonel C. E. Edgar, III  
Division Engineer  
Department of the Army  
New England Division,  
Corps of Engineers  
424 Trapelo Road  
Waltham, Massachusetts 02254

Dear Colonel Edgar:

This is in response to your letter of December 14, 1981 and attached Draft Environmental Impact Statement for the Designation of a Disposal Site for Dredged Material in Western Long Island Sound (WLIS III).

I wish to go on record as opposing the establishment of a dump site in the western portion of the Sound pursuant to WLIS III.

When I testified before the Corps of Engineers at the hearings held in the Township of Huntington in 1979 in coordination with the preparation of the Draft Programmatic Environmental Impact Statement for the Disposal of Dredged Material in the Long Island Sound Region, I made it quite clear that the interior L.I. Sound region was unsuitable for the disposal of dredged spoils. My position remains the same.

I was, in fact, quite disheartened when the Corps proposed Candidate Alternative Dredged Material Disposal Sites A and E in the Draft Programmatic Impact Statement, ten miles and twenty miles west of the western most disposal site (the Central Long Island Sound site) as established by the New England River Basin Commission in the 1980 Interim Plan for the Disposal of Dredged Material from Long Island Sound.

Appendix A of the 1981 Draft Environmental Impact Statement of the Disposal of Dredged Material in the L.I. Sound Region (page II-12) establishes clearly a selection process for "sites within the areas of highest suitability which are proximate to the major sources" of dredged spoils. Candidate Site A is said to be "centered around a small area of suitability located off Bridgeport Harbor", and Candidate Site E (off Eaton's Neck, Long Island) did not fall within the selection criteria at all. Site E was included at the insistence of the New England River Basin Commission Dredging Management Work Group, despite the candidate selection process criteria and the testimony at the Corps of Engineers public information hearings.

SC3-1

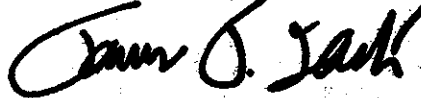
Colonel C. E. Edgar, III  
Page 2  
January 14, 1982

The establishment of a Western Long Island Sound Dumpsite at either Site E or a site slightly west as proposed in the WLIS III is in neither the best interests of those who must dispose of dredged spoils nor those who live and utilize the marine environment proximate to the candidate disposal sites.

I would sincerely hope that the Army Corps of Engineers would heed the testimony and comment of those elected and appointed official and private groups and individual citizens who have consistently over the past several years opposed the establishment of a permanent dredged material disposal site in Western Long Island Sound.

I am,

Very truly yours,



James J. Lack

JJL/pi/sd

S/

Office of the  
STATE  
HISTORIC  
PRESERVATION  
OFFICER

for Connecticut

---

59 SOUTH PROSPECT STREET - HARTFORD, CONNECTICUT 06106 - TEL: (203) 566-3005

December 21, 1981

Mr. C. E. Edgar, III  
Colonel, Corps of Engineers  
Division Engineer  
Dept. of the Army  
New England Division  
Corps of Engineers  
424 Trapelo Road  
Waltham, MA 02254

Subject: Draft Environmental Impact Statement for the  
Designation of a Disposal Site for Dredged  
Material in Western Long Island Sound-WLIS III.

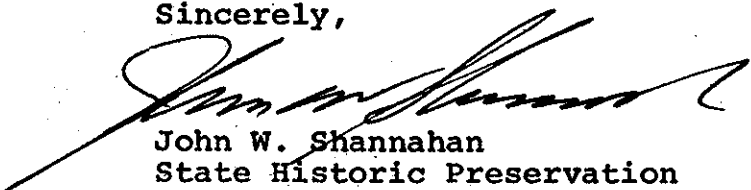
Dear Mr. Edgar:

The State Historic Preservation Officer has reviewed the  
above named project. In the opinion of the State Historic  
Preservation Officer, this project will have no effect on  
historical, architectural or archaeological resources listed  
on or eligible for the National Register of Historic Places.

This office appreciates the opportunity to have reviewed and  
commented upon this project.

For further information, please contact David A. Poirier,  
Archaeologist.

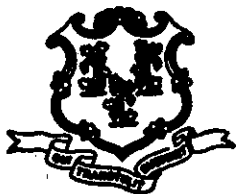
Sincerely,



John W. Shannahan  
State Historic Preservation  
Officer

DAP/ij

Rev. 10/81



STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION

January 11, 1982

Colonel C.E. Edgar, III  
U. S. Army Corps of Engineers  
New England Division  
424 Trapelo Road  
Waltham, MA 02254

Dear Colonel Edgar:

Subject: DEIS, Disposal Site for Dredged Material  
in Western Long Island Sound.

The U. S. Army Corps of Engineers draft concerning the above mentioned subject meets with the approval of this bureau.

The proposed site locations are very necessary for the continued free access and socio-economic well being of the western regions of Long Island Sound. The availability of having a disposal site within a reasonable distance from the areas to be dredged would be a significant factor in reducing the overall dredging costs, thereby utilizing the savings for similar projects within the area.

Should you need any further assistance in this matter, please contact Mr. Alan F. Ferran, Maritime Operations Officer, ConnDOT, Bureau of Waterways (telephone 203-566-7635).

Very truly yours,

A handwritten signature in cursive script that reads "James F. Sullivan".

James F. Sullivan  
Director of Environmental Planning  
Bureau of Planning and Research

Phone 566-5704

24 WOLCOTT HILL ROAD, P.O. DRAWER A WETHERSFIELD, CONNECTICUT 06109-0801

An Equal Opportunity Employer

# INTERSTATE SANITATION COMMISSION

A TRI-STATE ENVIRONMENTAL AGENCY  
10 COLUMBUS CIRCLE • NEW YORK, N.Y. 10019  
AREA CODE 212-582-0380

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Stanley J. Pac

### Director-

Chief Engineer

Thomas R. Glenn

January 15, 1982

Division Engineer  
New England Division  
U.S. Army Corps of Engineers  
424 Trapelo Road  
Waltham, Mass. 02254

Dear Sir:

We have read the Draft EIS for the Designation of a Disposal Site for Dredged Material in Western Long Island Sound WLIS III and offer comments thereon as follows:

The document is deficient in that it takes account only of federal water quality concerns and water quality requirements made by the individual states. Long Island Sound, west of a line from Port Jefferson to the easterly side of New Haven, is part of the Interstate Sanitation District over which the Interstate Sanitation Commission shares jurisdiction with the states. Accordingly, it is necessary for water quality in western Long Island Sound to meet the Water Quality Regulations of the Interstate Sanitation Commission and the document should so state.

For the convenience of the record, a copy is attached.

Very truly yours,

  
Thomas R. Glenn  
Director & Chief Engineer

TRG:mel  
Enclosure



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Administration  
STATEWIDE PLANNING PROGRAM  
265 Melrose Street  
Providence, Rhode Island 02907

January 15, 1982

C.E. Edgar, III  
Colonel, Corps of Engineers  
Division Engineer  
New England Division  
424 Trapelo Road  
Waltham, MA 02254

Dear Colonel Edgar:

This office, in its capacity of Clearinghouse designate under OMB Circular #A-95, Part II, has reviewed the "Designation of a Site for the Disposal of Dredged Material in the Western Long Island Sound Region."


The Technical Committee of the Statewide Planning Program was presented the staff findings as a result of the review at its meeting of January 8, 1982.

Since the disposal site will be designated for Western Long Island Sound, the Technical Committee has no comment.

A comment from the R.I. Historical Preservation Commission is attached.

We thank you for the opportunity to review this proposal.

Yours very truly,

  
Rene J. Fontaine  
A-95 Clearinghouse  
Coordinator

RJF/KFR/ac



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

HISTORICAL PRESERVATION COMMISSION

Old State House  
150 Benefit Street  
Providence, R.I. 02903  
(401) 277-2678

December 30, 1981

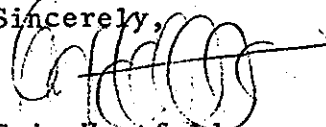
RE: HIS-81-13

Mr. Daniel W. Varin, Chief  
Rhode Island Statewide Planning Program  
265 Melrose Street  
Providence, RI 02907

Dear Mr. Varin:

The proposed disposal of dredged material in Western Long Island Sound will have no effect on historic or archeological properties.

Sincerely,

  
Eric Hertfelder  
Deputy State Historic  
Preservation Officer

/dn

RECEIVED  
R.I. STATEWIDE  
PLANNING PROGRAM

JAN 5 1982  
AM 7 8 9 10 11 12 1 2 3 4 5 6 PM

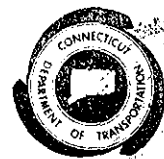
A





STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION

24 WOLCOTT HILL ROAD, P.O. DRAWER A  
WETHERSFIELD, CONNECTICUT 06109  
January 22, 1982



An Equal Opportunity Employer

Division Engineer  
U.S. Army Corps of Engineers  
New England Division  
424 Trapelo Road  
Waltham, Mass. 02254

Attention: Mr. David Tomey

Dear Sir:

Thank you for sending us a copy of your Draft E.I.S. for the designation of a disposal site in Western Long Island Sound.

This Bureau agrees with your finding that the closure of all sites in Western Long Island Sound has brought about the need for an economically feasible site in this region. Transportation of dredged material from its source to a regional disposal site is most cost effective because of the generally shorter transport distance. The opening of WLIS III would decrease this distance for all the communities in Western Long Island Sound.

Seasonal constraints on the timing of certain dredging operations occasionally result in the towing of mud scows under adverse weather conditions. After passing Cable and Anchor Reef on route to the Central LIS site near New Haven, these tows begin to enter a more exposed portion of the sound. Heavy seas and (during the winter) freezing spray may be encountered on the 28 n.m. run from WLIS III to the New Haven dump. This one-way trip could take from 3½ to 5 hours or more. Considerable fuel would be consumed to move a given quantity of material. In the meantime, the dredge may have to cease digging until it receives an empty scow.

With light to moderate winds, scows that could be towed alongside to WLIS III may require a hawser for the run to the Central site.

During severe winters, floating and pack ice in the western end of the sound can be another factor affecting transit time, making the proximity of a regional site an important consideration.

The Draft E.I.S. identifies a number of benefits that would accrue from the opening of WLIS III. One of the most attractive of these would be a reduction in maintenance dredging costs and the opportunity to apply the savings to other Corps projects in the Western Sound.

56-1



Div. Engr. - U.S. Army Corps of Engineers

- 2 -

January 22, 1982

Bulk cargo facilities will be able to provide adequate controlling depths for barges and small coastal tankers more cheaply. Marinas and yacht clubs will be in a better position to maintain their slips and accommodate the seasonal influx in recreational boating. Private dockowners will also share in the economies of a regional disposal site.

In October 1979, we wrote to the Division Engineer informing him that this Department had placed a high priority on the removal of the shoaled area in the 25' Anchorage, Bridgeport main harbor. We were pleased to recently learn that you plan to deepen a portion of the anchorage to 35'. With reference to the Dames and Moore study and information contained in the draft Programmatic E.I.S. for Long Island Sound, Site "A", Bridgeport East could offer some interesting possibilities for this improvement work.

If we can be of any further assistance to you in this matter, please call (203) 443-3856.

Very truly yours,

A handwritten signature in dark ink, appearing to read "D. A. Rossiter", is written over a circular stamp.

David A. Rossiter  
Harbor Liaison Officer  
Bureau of Waterways



# STATE OF CONNECTICUT

## DEPARTMENT OF HEALTH SERVICES

### BUREAU OF HEALTH PROMOTION & DISEASE PREVENTION

January 20, 1982

Mr. David Tomey  
U.S. Army Corps of Engineers  
New England Division  
424 Trapelo Road  
Waltham, MA 02254

Dear Mr. Tomey:

We have the following comments on the "Draft Environmental Impact Statement for the Designation of a Disposal Site for Dredged Material in Western Long Island Sound WLIS III".

The report indicates that when clam shell dredged materials are dumped at the disposal site, one percent of the sediment will remain suspended for an undetermined time resulting in a short term contaminant equilibrium. The contaminant level will lead to bioaccumulation relative to its varying concentration. As contaminant levels lower, the bioaccumulated levels in shellfish, as indicated-heavy metals and PCB's will seek this lower level through purification mechanisms. In addition the concentration levels in the water column become so diluted with the surrounding waters as to reduce that level to below water quality criteria.

It is not clear how water quality criteria and background water levels interrelate. No projections are actually made as to potential average or peak levels of heavy metals, or PCB's that could be accumulated in shellfish at the site and prompt closure of the area to commercial harvesting, nor has organic or metabolized organic components in shellfish been addressed. Although shellfish may concentrate contaminants to a greater level than ambient in a short time, the lowering of these levels may take considerable time. No time-frame has been referenced for this purification process.

There appeared to be a contradiction in current distribution of sediment. The report indicated the shellfish beds north and south of the site would not be affected by contaminants since bottom currents are orientated east-west and thus no shoreward deposition. The report goes on to state that the net sediment drift would be westward, which eventually would lead to shore. When discussing the lobster fishery, the report indicated that current patterns were circular in Western and Central Long Island Sound. Our Department is concerned with what the actual direction and extent of contaminant drift will be relative to Connecticut shellfish beds. The question also arises as to whether any PCB contaminated dredge spoils such as might be found in the Hudson River will be deposited at this site. If this occurs, what will be the probable extent of distribution both geographically at the site, and through the food chain.

Phone: 566-2762

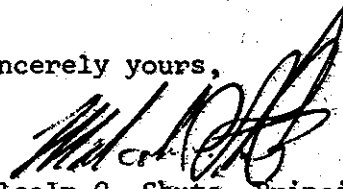
79 Elm Street • Hartford, Connecticut 06115

An Equal Opportunity Employer

An additional problem is the discovery of a Gonyaulax cyst in Center Port Harbor, Long Island, New York. Gonyaulax is responsible for causing red tides, and paralytic shellfish poisoning which results in shellfish area closures. If dredge spoils are deposited at WLIS III, will "red tide" organisms be dispersed to other areas of Long Island Sound with the disposal site then taking on the role of reservoir for future blooms?

While it is important to dredge and dispose of spoils in an economic fashion, it is equally important to address these issues. Disease prevention planning will require answers to these questions.

Sincerely yours,



Malcolm C. Shute, Principal Sanitarian  
Shellfish Unit  
Preventable Diseases Division

MCS/bh

cc: John Baker, Department of Agriculture  
D. Cunningham, DEP  
D. Anderson, WHOI



# State of Connecticut

## Department of Environmental Protection



Stanley J. Pace  
Commissioner

State Office Building Hartford, Connecticut 06115

January 19, 1982

Colonel C.E. Edgar, III  
Division Engineer  
New England Division  
Corps of Engineers  
424 Trapelo Road  
Waltham, Ma. 02254

RE: NEDPE-I

Dear Colonel Edgar:

The Department of Environmental Protection has reviewed the Draft Environmental Statement for the Designation of a Disposal Site for Dredged Material in Western Long Island Sound. DEP supports the designation of a disposal site in the western Long Island Sound but also emphasizes the necessity of a management strategy for the designated site. The management strategy should follow the guidelines of the Interim Plan for the Open Water Disposal of Dredged Material from Long Island Sound which was developed in consultation with the member agencies of the Dredging Management Work Group.

At this time DEP concurs that the area known as WLIS III can be utilized for disposal of dredged material. As you know, DEP has already issued a Section 401 Water Quality Certification to Shore Acres Point Corp., et.al. in Mamaroneck Harbor. The certification allows disposal of dredged material from the harbor at an approved location within the WLIS III site. The certification also includes disposal site management elements, reiterated below, as conditions for the use of WLIS III:

1. The Corps will designate and mark with a suitable buoy the authorized disposal point within the WLIS III disposal area. Selection of this point will be coordinated with the cognizant State and Federal resource agencies.
2. The Corps will designate ingress and egress sea lanes through disposal point for use by all users of the site.
3. No disposal of dredged materials shall occur at WLIS III during the period June 1 through September 30.
4. A New England Division Corps of Engineers Inspector shall accompany barges travelling to the disposal site.

The DEIS provides a further condition:

5. The Corps of Engineers will monitor disposal mounds at the site through the Disposal Area Monitoring System (DAMOS).

Colonel C.E. Edgar, III  
Page 2

Before DEP can concur with the designation of Bridgeport East (Site A) as an open water dredged material disposal site, further information should be provided. If this site is to be considered seriously, data on existing environmental conditions at the site should be collected. This type of information was presented for WLIS III. At this point it may be useful to consult with commercial trawl fishermen to obtain their views on site A. As harbors in the region likely to utilize site A for dredged material disposal may contain sediments of different quality from those found in harbors in other regions of the Sound, a intense disposal monitoring program may be required. These factors do not preclude further consideration of Site A, although it would be premature to designate it as a site without further investigation and discussion.

In conclusion, use of WLIS III as a regional open water dredged material disposal site is consistent with Connecticut's Coastal Management Program and is supported by DEP in accordance with the conditions stated herein.

Thank you for this opportunity to comment.

Sincerely,

*Stanley J. Pac*  
Stanley J. Pac

SJP/DC/TSM/11



CITY OF NEW ROCHELLE  
NEW YORK

C. SAMUEL KISSINGER  
CITY MANAGER

December 18, 1981

C.E. Edgar III  
Lt. Colonel, Corps of Engineers  
Division Engineer  
Department of the Army  
New England District Corps of Engineers  
424 Trapelo Road  
Waltham, Mass. 02154

Re: Draft Environmental Impact Statement  
Designation of a disposal site for dredged  
materials for Western Long Island Sound -  
WLIS III

Dear Lt. Col. Edgar:

The undersigned is writing in support of the Environmental Impact Statement regarding WLIS III.

The Connecticut State Department of Environmental Protection, who proposed the site, and the New York State Department of Environmental Conservation has gone on record as favoring the opening of WLIS III. Commissioner Pac of the Connecticut Department of Environmental Protection wrote that "...WLIS III provides a practicable disposal option for materials judged suitable for open-water disposal...would not impact existing lobster resources...is far removed from lobster and oyster grounds and will not conflict with other known uses of the area...and would increase the areas holding capacity for lobsters and finfish by improving the habitat diversity of the otherwise featureless muddy bottom."

Numerous national, state and local elected representatives have gone on record as endorsing this site, both in writing and during testimony on the Public Notice and Public Hearing #24-81-563.

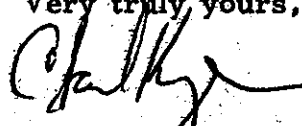
The need for an environmentally safe disposal site in Western Long Island Sound has reached critical proportions. The harbors and waterfront areas of lower Connecticut, Westchester County and nearby Long Island desperately need dredging to maintain and foster current and future recreational and commercial needs. The Mamaroneck projects are an example of some of the needs which must be satisfied economically as well as environmentally.

December 18, 1981  
 Lt. Col. Edgar  
 December 18, 1981

The States of Connecticut and New York, as well as the Army Corps of Engineers early in 1981 reviewed the bioassay and other tests performed on the proposed Mamaroneck dredged materials and granted permits for the disposal of these spoils in Long Island Sound off New Haven. These agencies have deemed the disposal of such spoils in Long Island Sound to be acceptable environmentally and ecologically. Both the States of Connecticut and New York have indicated their approval of the issuing of permits for disposal of the Mamaroneck spoils at WLIS III when it is opened. The substantial dollar savings by disposal at WLIS III as opposed to New Haven will make the difference between many dredging projects in the Long Island Sound shore areas going forward or not.

We urge the speedy opening of the WLIS III disposal site. Any delay and/or denial would not be in the best interests of the WLIS Sound Shore Community and would seriously jeopardize their dredging projects and in turn the use of their waterfront facilities.

Very truly yours,



C. SAMUEL KISSINGER  
 City Manager

CSK/kr



CITY OF NEW ROCHELLE, N. Y.

DEPARTMENT OF HUMAN SERVICES

CITY HALL, 515 NORTH AVENUE  
NEW ROCHELLE, N. Y. 10801  
TEL.: (914) 632-2021



JOSEPH E. CURTIS  
COMMISSIONER

THEODORE U. EDWARDS  
DEPUTY COMMISSIONER

December 21, 1981

Lt. Col. C. E. Edgar, III  
U.S. Army, Corps. of Engineers  
New England Division  
424 Trapelo Road  
Waltham, Mass. 02254

Dear Col. Edgar:

I am in receipt of yours of 14 December 1981, including Draft Environmental Impact Statement regarding proposed Long Island Sound (WLIS III) disposal site. I attended the November 1981 hearings, and spoke.

I have reviewed the document, especially those parts that impact directly upon Echo Bay (New Rochelle) and the operation of marinas, docks and boating facilities within the City of New Rochelle.

I wish to repeat my request that this action be expedited so that dredging and disposal may get underway. The mud and silting continue in New Rochelle waters at such a rate that much of the harbor will soon be useless to anything larger than a rowboat.

This department stands ready to cooperate with you in this.

Yours very truly,

A handwritten signature in dark ink, appearing to read "JECurtis".  
Joseph E. Curtis  
Commissioner

JEC/dp

# Village of Port Chester



New York

110 Willett Avenue  
Port Chester, New York 10573

December 21, 1981

C.E. Edgar III  
Lt. Colonel, Corps of Engineers  
Division Engineer  
Department of the Army  
New England District Corps of Engineers  
424 Trapelo Road  
Waltham, Massachusetts 02154

Re: Draft Environmental Impact Statement - designation of a  
disposal site for dredged materials for Western Long  
Island Sound - WLIS III

Dear Lt. Col. Edgar:

I am writing in support of the Environmental Impact Statement  
regarding WLIS III.

The Connecticut State Department of Environmental Protection, who proposed the site, and the New York State Department of Environmental Conservation has gone on record as favoring the opening of WLIS III. Commissioner Pac of the Connecticut Department of Environmental Protection wrote that "...WLIS III provides a practicable disposal option for materials judged suitable for open-water disposal...would not impact existing lobster resources...is far removed from lobster and oyster grounds and will not conflict with other known uses of the area...and would increase the areas holding capacity for lobsters and finfish by improving the habitat diversity of the otherwise featureless muddy bottom."

Numerous national, state and local elected representatives have gone on record as endorsing this site, both in writing and during testimony on the Public Notice and Public Hearing #24-81-563.

The need for an environmentally safe disposal site in Western Long Island Sound has reached critical proportions. The harbors and waterfront areas of lower Connecticut, Westchester County and nearby Long Island desperately need dredging to maintain and foster current and future recreational and commercial needs. The Mamaroneck projects

Lt. Col. Edgar

- 2 -

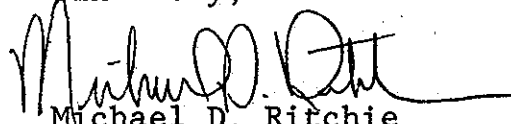
December 21, 1981

are an example of some of the needs which must be satisfied economically as well as environmentally.

The States of Connecticut and New York, as well as the Army Corps of Engineers early in 1981 reviewed the bioassay and other tests performed on the proposed Mamaroneck dredged materials and granted permits for the disposal of these spoils in Long Island Sound off New Haven. These agencies have deemed the disposal of such spoils in Long Island Sound to be acceptable environmentally and ecologically. Both the States of Connecticut and New York have indicated their approval of the issuing of permits for disposal of the Mamaroneck spoils at WLIS III when it is opened. The substantial dollar savings by disposal at WLIS III as opposed to New Haven will make the difference between many dredging projects in the Long Island Sound shore areas going forward or not.

We urge the speedy opening of the WLIS III disposal site. Any delay and/or denial would not be in the best interests of the WLIS Sound Shore Community and would seriously jeopardize their dredging projects and in turn the use of their waterfront facilities.

Sincerely,

  
Michael D. Ritchie  
Village Manager

MDR:bb



# OFFICE OF THE SUPERVISOR

TOWN OF RYE

10 PEARL STREET  
PORT CHESTER, N. Y. 10573

ANTHONY J. POSILLIPO  
SUPERVISOR

December 22, 1981

C.E. Edgar 111  
Lt. Colonel, Corps of Engineers  
Division Engineer-Dept. of Army  
New England District  
424 Trapelo Road  
Waltham, Mass.

Re: Draft Environmental Impact Statement - designation of a disposal site for dredged materials for Western Long Island Sound - WLIS 111

Dear Lt. Colonel Edgar:

The undersigned is writing in support of the Environmental Impact Statement regarding WLIS 111.

The Connecticut State Department of Environmental Protection, who proposed the site, and the New York State Department of Environmental Conservation has gone on record as favoring the opening of WLIS 111. Commissioner Pac of the Department of Environmental Protection wrote that "...WLIS 111 provides a practicable disposal option for material judged suitable for open-water disposal...would not impact existing lobster resources... is far removed from lobster and oyster grounds and will not conflict with other known uses of the area...and would increase the areas holding capacity for lobsters and finfish by improving the habitat diversity of the otherwise featureless muddy bottom.

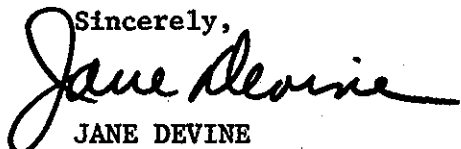
Numerous national, state and local elected representatives have gone on record as endorsing this site, both in writing and during testimony on the Public Notice and Public Hearing #24-81-563.

The need for an environmentally safe disposal site in Western Long Island Sound has reached critical proportions. The harbor and waterfront areas of Lower Connecticut, Westchester County and nearby Long Island desperately need dredging to maintain and foster current and future recreational and commercial needs. The Mamaroneck projects are an example of some of the needs which must be satisfied economically as well as environmentally.

The States of Connecticut and New York, as well as the Army Corps of Engineers early in 1981 reviewed the bioassay and other tests performed on the proposed Mamaroneck dredged materials and granted permits for the disposal of these spoils in Long Island Sound off New Haven. These agencies have deemed the disposal of such spoils in Long Island Sound to be acceptable environmentally and ecologically. Both the States of Connecticut and New York have indicated their approval of the issuing of permits for disposal of the Mamaroneck spoils at WLIS 111 when it is opened. The substantial dollar savings by disposal at WLIS 111 as opposed to New Haven

the economics of the fin fish and shellfish industry which thrives off of Eaton's Neck, combined with the fact that a more easterly location for dumping currently exists, your reasoning is specious.

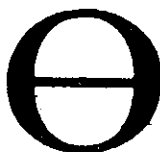
I continue to oppose dumping of dredge materials in Western Long Island Sound as I have in the past.

Sincerely,  
  
 JANE DEVINE  
 Suffolk County Legislator  
 17th Legislative District

JD;jm  
 cc: Huntington Town Dept. of Environmental Control  
 ACTION

\* Draft Environmental Impact Statemtns for the Designation of  
 a Disposal Site for Dredged Material in Western Long Island Sound  
 WLIS 111

**TOWN OF OYSTER BAY  
DEPARTMENT OF PUBLIC WORKS**



**DIVISION OF ENVIRONMENTAL CONTROL**

150 Miller Place  
Syosset, New York 11791

JOHN H. VANDER VEER, P.E.  
Superintendent  
(516) 921-7347

**FRANK J. ANTETOMASO**  
COMMISSIONER

Karl J. Leupold, P.E.  
DEPUTY COMMISSIONER

Gerard P. Trotta  
DEPUTY COMMISSIONER

January 6, 1982

U.S. Army Corps of Engineers  
New England Division  
424 Trapelo Road  
Waltham, MA 02254

Attention: Mr. David Tomey

Dear Sirs:

Having reviewed the DEIS for the Designation of a Disposal Site for Dredged Material in Western Long Island Sound WLIS III we offer the following comments. Undoubtedly, an economically feasible solution need to be found for the disposal of dredged spoil. Maintenance dredging is necessary to keep waterways open to trade and traffic. Economic hardships are a reality when marine related businesses are hampered by shoaling conditions. The example posed by Mamaroneck Village is viable.

However, economics should not be forgotten when considering if open water disposal is indeed the solution. Economic considerations which should be considered are the possible impact open water disposal would have on the fishery, whether it be finfish or shellfish. Destruction of these natural resources would have dire economic consequences. In 1973 because of concern over environmental issues and management problems associated with dredged material disposal in LIS a decision was made to close 15 of the 19 existing open water sites. In 1974 the Eaton's Neck site was subsequently closed.

The question foremost in our minds is "What has changed to make this an environmentally acceptable practice". The greatest shortcoming of this DEIS is the failure to discuss the environmental concerns which initially prompted the closure of these sites. A discussion of data obtained from studies of disposal sites is in order. Apparently further testing must have been undertaken to assure; potential movement of dredged material from disposal area is limited, deterioration of the water quality would be temporary and restricted, and material earmarked for open water disposal is of a quality which would not impact the local fisheries.

The dredged spoil of 23 assorted marinas and yacht clubs in Mamaroneck Harbor does not give us cause for concern. It is the effects of open water dumping of large volumes of dredged spoil from major harbor

dredging projects which are cause for alarm. It is this sort of Pandoras Box we must not open without first assessing the possible environmental impact. The DEIS offers a generalized characterization of environmental setting and consequences.

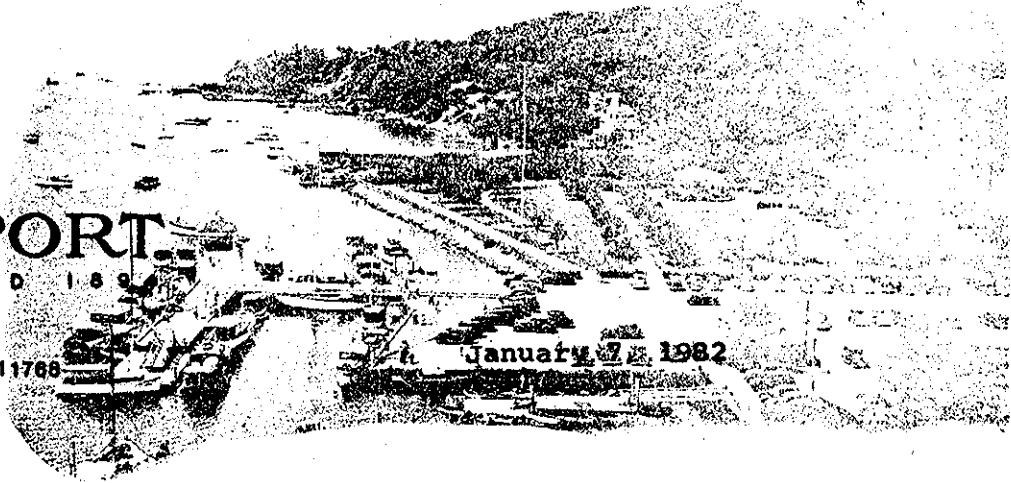
Prior to any actual disposal, dredged spoil would, undoubtedly, be tested to ascertain its suitability for open water disposal. Approval would be necessary from Federal regulatory agencies and the State of Connecticut. Specific impacts would have to be addressed on a project specific basis as indicated in the DEIS. We would undoubtedly expect these statements to go into greater detail than the DEIS for "The Designation of a Disposal Site for Dredged Material in WLIS III.

*John H. VanderVeer*  
John H. VanderVeer, P.E.  
Superintendent  
Environmental Control

JHV:JB:kb  
cc: Frank J. Antetomaso, P.E., Comm.  
Department of Public Works  
Clinton S. Smith, Harbor Master  
ACTION For The Preservation &  
Conservation for LI North Shore  
Supervisor Colby

*Village of*  
**NORTHPORT**  
INCORPORATED 1897

224 MAIN STREET  
NORTHPORT, NEW YORK 11768



Department of the Army  
New England Division  
Corps of Engineers  
424 Trapelo Road  
Waltham, Mass. 02254

Attention: C. E. Edgar, III  
Colonel, Corps of Engineers  
Division Engineer

Re: NEDPL-I

Gentlemen:

In reference to your letter dated December 14, 1981, which attaches a Draft Environmental Impact Statement for the Designation of a Disposal Site for Dredge Material in Western Long Island Sound - WLIS III, please be advised that the Board of Trustees of the Village of Northport has gone on record as being opposed to any dumping of dredged material in Long Island Sound.

Yours very truly

*Dorothy Dugan*

(Miss) Dorothy Dugan  
Village Clerk





COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

PETER F. COHALAN  
SUFFOLK COUNTY EXECUTIVE

JOHN C. GALLAGHER  
CHIEF DEPUTY

January 13, 1982

Mr. C.E. Edgar, III  
Colonel, Corps of Engineers  
Division Engineer  
Department of the Army  
Corps of Engineers  
424 Trapelo Road  
Waltham, Massachusetts 02254

Re: Comments on the draft environmental impact statement for the designation of a disposal site for dredged material in western Long Island Sound prepared by the U.S. Army Corps of Engineers, New England Division

Dear Mr. Edgar:

Having reviewed the above referenced DEIS as well as the associated Draft Programmatic Environmental Impact Statement for The Disposal of Dredged Material In The Long Island Sound Region, issued June 2, 1981, and the New England River Basin Commission's Dredging Management Data and Analysis for the New England/Long Island Region Report (September 1981), it appears evident that the DEIS on the WLIS-III site needs to be expanded and additional information supplied before a sound conclusion can be made.

In many respects, the DEIS on open water disposal in western Long Island Sound is vague and misleading. In the first place, the DEIS in question bases many of its findings on information within a Draft Programmatic Environmental Impact Statement (DPEIS). It seems inappropriate to answer many of the concerns raised about open water dredge material disposal in western Long Island Sound based on information contained in another "draft" report which in and of itself may be lacking. Such documents should be finalized with definitive policies set prior to their being incorporated by reference into other reports. In addition, there appears to be some discrepancies between information in the DEIS in question and the DPEIS which is referred to - for instance, within the "Preface" of the DEIS being reviewed, it states that "it was apparent (in the DPEIS) that no alternatives to

Page 2

January 13, 1982

open water disposal, such as upland disposal containment, incineration, etc., are not currently viable on a regional basis." Having read the DPEIS and knowing that upland disposal is only discussed in that report in the most generalized way, such a conclusion is not supported.

Within Suffolk County, upland disposal sites are used readily for the disposal of both clean as well as contaminated dredged material. Data within the New England River Basin Commission's Dredging Management Report clearly shows in Table 34 that upland disposal of dredged material was used 108 times as opposed to 56 for open water disposal in Connecticut for non-Army Corps of Engineers dredging projects from 1971 through 1980. Table 35 also shows definitively that of a total of 3,686 dredging projects conducted by the Army Corps of Engineers, upland disposal was used 2,135 times as opposed to 1,151 times for open water disposal. Without analyzing specific upland disposal areas currently in use and potential sites, which has not been done, the conclusion that upland disposal of such materials on a regional basis is not viable, cannot be substantiated in the DEIS.

Again, referring to the Programmatic EIS, the DEIS in question concludes that a site, WLIS-III, in the western Long Island Sound region can be used as a regional dredged material disposal area without expecting significant environmental impact. However, the information contained in the DEIS does not definitively answer and negate the concerns over the potential adverse impacts on water quality in western Long Island Sound. Information within the Programmatic DEIS shows that the potential for water quality deterioration at the proposed open water disposal site is "high" as shown in Figure II-B-3 of that document.

The Programmatic EIS states that the type of material dredged will significantly influence the acceptability of the method of disposal and concern for impacts. If the WLIS-III site is used for the disposal of clean dredged material, then without a doubt, impacts will be minimal. However, based on present information at hand, it is seriously questionable as to whether or not the material to be dumped at site WLIS-III will be clean.

Page 3

January 13, 1982

The DEIS does not clearly indicate the harbor areas which will most likely use the proposed open water disposal area. This should be done. In addition, a description of the types of sediments within those harbors should be supplied in order to give an indication as to whether or not the dredged material that will be disposed of at the site will be significantly contaminated or not. It is pointed out that an Environmental Atlas (CE, 1980B) has been completed by the Army Corps of Engineers which provides a harbor by harbor description of the sediments expected to be found in Long Island Sound, as well as the level of contamination found in the sediments based upon sediment analyses accumulated from past project testing. The specific data within the Environmental Atlas pertaining to harbors which may use the proposed open water disposal site should be included in the DEIS. If information on sediments and their contaminant levels is not available for certain harbors which might use the proposed site, then it should be obtained and placed within the DEIS as well.

The Programmatic Environmental Impact Statement indicates that the majority of the sediments in the harbors at the western end of the Long Island Sound are silty fine grain materials. It further says that in general, silty material is more heavy laden with contaminants and that the presence of various contaminants found in such sediments have been DDT, PCB, heavy metals and organic materials. In addition, data within the New England River Basin's Dredging Management Report specifies that in three out of five Connecticut harbors previously dredged in the western Long Island Sound area on which sediment tests were conducted (consisting of either bulk analysis, elutriate test or bioassay tests), the sediments very likely contained significant contamination which could be expected to be an important issue in their disposal.

To more adequately address the potential water pollution issue, the DEIS should clearly and precisely state what policies will be adhered to when dealing with contaminated dredged spoil materials. Will they or will they not be allowed to be disposed of at the proposed site? The specific criteria used to evaluate the eligibility of dredged materials for open water disposal, should be placed within the DEIS as well as the names of the agencies that will make the determination and how they will make the determination.

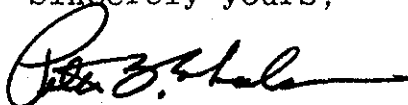
Page 4

January 13, 1982

The U.S. Council on Environmental Quality Regulations on Implementing National Environmental Policy Act Procedures states that all reasonable alternatives should be rigorously explored and evaluated. Therefore, the use of specific upland disposal areas, especially for the disposal of highly contaminated sediments should be explored and evaluated in a comparative form with those proposed for offshore disposal. All mitigation measures should likewise be described in detail and evaluated.

Before any definitive conclusions are made with respect to designating an open water dredged materials disposal site in western Long Island Sound, the Draft Environmental Impact Statement should be expanded to include all of the above reference issues and concerns.

Sincerely yours,



PETER F. COHALAN  
SUFFOLK COUNTY EXECUTIVE

PFC/tr

2-3

COUNTY OF SUFFOLK

L8



COUNTY LEGISLATURE

JANE DEVINE  
LEGISLATOR, 17TH DISTRICT

DISTRICT OFFICE  
256 MAIN STREET  
HUNTINGTON, N.Y. 11743  
(516) 673-9393

LEGISLATIVE COMMITTEES:  
FINANCE  
LEGISLATIVE AND PERSONNEL  
PUBLIC WORKS  
TRANSPORTATION  
HUMAN SERVICES

January 14, 1982

U. S. Army Corps of Engineers  
New England Division  
ATTN: Mr. David Tomey  
424 Trapelo Road  
Waltham, MA 02254

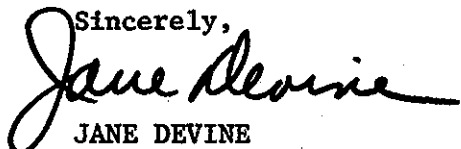
I have reviewed your latest proposal for Long Island Sound dredge disposal and I am appalled. After the countless hearings that have been held and all the testimony you have documented, it is obvious that just moving the dump site one mile from "most productive lobstering fishery in the entire Sound"\* is an attempt at appeasement and will not ease the concerns and objections by the Long Island community and various government official agencies.

I will point to only two of many issues: When the western Long Island Dump sites were initially closed it was with the understanding that a long-term plan for all of long Island Sound would be developed. To my knowledge no plan exists nor do you address, anywhere, why the Corps purports that it is environmentally acceptable to open the Western dumping site that you once closed.

Secondly, the Corps' reasoning for wanting to dump dredge material in Western L. I. Sound is wanting in logic. Your rationale is the economic advantage to the harbors located in the western basin of the Sound. May I suggest to you that when you consider

the economics of the fin fish and shellfish industry which thrives off of Eaton's Neck, combined with the fact that a more easterly location for dumping currently exists, your reasoning is specious.

I continue to oppose dumping of dredge materials in Western Long Island Sound as I have in the past.

Sincerely,  
  
 JANE DEVINE  
 Suffolk County Legislator  
 17th Legislative District

JD;jm  
 cc: Huntington Town Dept. of Environmental Control  
 ACTION

\* Draft Environmental Impact Statemtns for the Designation of  
 a Disposal Site for Dredged Material in Western Long Island Sound  
 WLIS 111



**SUFFOLK COUNTY LEGISLATURE**

DISTRICT NO. 18  
44 WOODBINE AVENUE  
NORTHPORT, N. Y. 11768  
(516) 757-9444

**ROBERT J. MRAZEK**  
MINORITY LEADER

January 15, 1982

Mr. David Tomey  
Army Corps of Engineers  
New England Division  
424 Trapelo Road  
Waltham, MA 02254

Dear Mr. Tomey:

I would like to take this opportunity to comment on the Army Corps of Engineers "Draft Environmental Impact Statement for the Designation of a Waste Disposal Site for Dredged Material in Western Long Island Sound II." While I have not agreed with the Corps' conclusions in the past with respect to Long Island Sound and still do not, I appreciate being given the opportunity to make my views known.

On three previous occasions, I have given testimony at public hearings conducted by the Corps outlining my strong objections to the Corps insistence on placing the short term needs of a small group ahead of the broader, long term interests of residents on both sides of the Sound. While my most recent testimony was heard in late October of 1981, opposition by myself and others extends back over a ten year period.

My apprehension over the designation of a new dump site can be summed up by the statement on page 1 of the report which reads, "Concern over environmental issues and management problems associated with dredged material disposal in LIS has led to a decision in 1973 to close 15 of the 19 existing open water sites."

The report further points out on Page 15 that the United States Congress has been so deeply disturbed about the possibility of inadequate safeguards for the environment under past dumping procedures that the extraordinary step of amending the Ocean Dumping Act to require that ocean dumping criteria be used in future projects has been taken.

Since the original sites were closed in 1973, I have seen no new evidence to indicate that the Corps has solved the environmental hazards associated with the dumping of dredged materials in Long Island Sound. In fact, the Corps has presented no new arguments for this undertaking preferring instead to rely upon "economic criteria".

L9-1

Fundamentally, we must consider whether the "economic criteria" which calls for a western dumping site should take precedence over the very real, deep seated concerns of those that depend on the area affected by the dumping for their livelihood. The potential hazards to Long Island are so great that any damage done must for all intents and purposes be considered irrevocable. Because of this fact any proposed dumping cannot be evaluated merely on the basis of economic criteria. While we must balance economic growth and the environment, this case clearly demands that the environment take precedence.

Hundreds of thousand of individuals who reside on either side of the Sound have a basic right to demand that the quality of Long Island Sound be preserved. I see no reason why they should be willing to stand idly by and see this right denied.

In reviewing the Corps statement, I am constantly reminded that protection of the environment has never been a basic part of the Corps mission. The primary peace time purpose of the Corps in this area is to see that our navigable waterways are kept open and accessible. For this reason the Corps cannot be faulted for ignoring their own mandate.

However, the Environmental Agencies of New York State and Connecticut are charged with protecting the environment. Therefore, while it comes as no surprise, it is distressing to see that both of these states have again blindly followed the Corps lead. We on Long Island have come to expect no more from our, so-called protectors of the environment and they have again lived up to our expectations.

In conclusion, I take strong objection to the proposed use of a Western Long Island Sound site for the dumping of dredged materials. I believe that the Corps has failed to give serious consideration to upland sites and has presented no new evidence to justify reconsidering previous decisions to end dumping.

While a case can be made for disposal of these materials, it should not be done at the expense of our environment or those who have a right to demand basic protections for Long Island Sound.

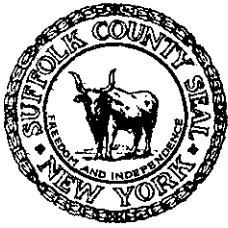
Sincerely,

*Robert J. Mrazek*

Robert J. Mrazek  
Suffolk County Legislator

RJM:meh





**SUFFOLK COUNTY LEGISLATURE**

DISTRICT NO. 18  
44 WOODBINE AVENUE  
NORTHPORT, N. Y. 11768  
(516) 757-9444

**ROBERT J. MRAZEK**  
MINORITY LEADER

January 15, 1982

Mr. David Tomey  
Army Corps of Engineers  
New England Division  
424 Trapelo Road  
Waltham, MA 02254

Dear Mr. Tomey:

I would like to take this opportunity to comment on the Army Corps of Engineers "Draft Environmental Impact Statement for the Designation of a Waste Disposal Site for Dredged Material in Western Long Island Sound II." While I have not agreed with the Corps' conclusions in the past with respect to Long Island Sound and still do not, I appreciate being given the opportunity to make my views known.

On three previous occasions, I have given testimony at public hearings conducted by the Corps outlining my strong objections to the Corps insistence on placing the short term needs of a small group ahead of the broader, long term interests of residents on both sides of the Sound. While my most recent testimony was heard in late October of 1981, opposition by myself and others extends back over a ten year period.

My apprehension over the designation of a new dump site can be summed up by the statement on page 1 of the report which reads, "Concern over environmental issues and management problems associated with dredged material disposal in LIS has led to a decision in 1973 to close 15 of the 19 existing open water sites."

The report further points out on Page 15 that the United States Congress has been so deeply disturbed about the possibility of inadequate safeguards for the environment under past dumping procedures that the extraordinary step of amending the Ocean Dumping Act to require that ocean dumping criteria be used in future projects has been taken.

Since the original sites were closed in 1973, I have seen no new evidence to indicate that the Corps has solved the environmental hazards associated with the dumping of dredged materials in Long Island Sound. In fact, the Corps has presented no new arguments for this undertaking preferring instead to rely upon "economic criteria".

29-1

Fundamentally, we must consider whether the "economic criteria" which calls for a western dumping site should take precedence over the very real, deep seated concerns of those that depend on the area affected by the dumping for their livelihood. The potential hazards to Long Island are so great that any damage done must for all intents and purposes be considered irrevocable. Because of this fact any proposed dumping cannot be evaluated merely on the basis of economic criteria. While we must balance economic growth and the environment, this case clearly demands that the environment take precedence.

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In conclusion, I take strong objection to the proposed use of a Western Long Island Sound site for the dumping of dredged materials. I believe that the Corps has failed to give serious consideration to upland sites and has presented no new evidence to justify reconsidering previous decisions to end dumping.

While a case can be made for disposal of these materials, it should not be done at the expense of our environment or those who have a right to demand basic protections for Long Island Sound.

Sincerely,

*Robert J. Mrazek*

Robert J. Mrazek  
Suffolk County Legislator

RJM:meh

## COUNTY OF SUFFOLK



## COUNTY LEGISLATURE

FERDINAND J. GIESE  
COUNTY LEGISLATOR, FIFTH DISTRICT

CHAIRMAN:  
SENIOR CITIZENS COMMITTEE

MEMBER:  
PUBLIC SAFETY COMMITTEE  
VETERANS AFFAIRS COMMITTEE  
SELECT COMMITTEE  
FARM PRESERVATION COMMITTEE

149 MAIN STREET  
EAST SETAUKET, NEW YORK 11733-2899  
(516) 689-8500

January 13, 1982

U.S. Army Corps of Engineers  
New England Division  
Attn: Mr. David Tomey  
424 Trapelo Road  
Waltham, MA 02254

Dear Mr. Tomey:

Legislator Giese appreciates the opportunity to comment on the Disposal Site for Dredged Material in Western Long Island Sound.

His feelings are for no dumping of contaminated dredged material in any area of Long Island Sound. The idea that if one site is opposed then an alternate Long Island Sound site is designated, does not solve the problem.

We would like to know, what research has been done by the Corp of Engineers with the use of upland disposal sites? What will be the disposition of the dredged material that does not meet the requirements of all the Federal and State regulations?

We look forward to receipt of your reply.

Yours truly,

Janet D. Lauber (Mrs.)  
Legislative Aide



FRANCIS T. PURCELL  
County Executive

NASSAU COUNTY DEPARTMENT OF HEALTH

240 OLD COUNTRY ROAD, MINEOLA, N.Y. 11501

JOHN J. DOWLING, M.D., M.P.H.  
Commissioner

FRANCIS V. PADAR, P.E., M.C.E.  
Deputy Commissioner  
Division of Environmental Health

January 15, 1982

Department of the Army  
New England Division  
Corps of Engineers  
424 Trapelo Road  
Waltham, Massachusetts 02254

Attention: Colonel Edgar

Gentlemen:

Thank you for giving this Department the opportunity to review the DEIS for the "Designation of a Disposal Site for Dredged Material in Western Long Island Sound" WLIS III.

While conceding the necessity for dredging in the western Sound area, this Department continues to oppose the reopening of an open water disposal site there (see attachment). We take this position not only because of the water quality degradation which we believe would take place from such activity, but also because of the legitimate concerns raised by certain individuals who attended past public hearings on this matter. It has been the Department's position that this constricted western portion of the Sound, already stressed by sewage effluents, combined sewer overflows, rainfall runoff and various pollutional impacts associated with commercial activities in the metropolitan complex, should be spared by any further degradation whenever possible. We also view this proposal, if implemented, as undermining the improvements which have occurred in the western Sound due to the expenditure of large sums of money to upgrade existing sewage treatment plants. As a result of these improvements, previously closed shellfishing grounds have recently been opened and other amenities associated with improved water quality have been realized.

We urge temporary retention of the Central Long Island Sound site for the present, and urgently suggest that the containment option put forward in the DPEIS and at the public meeting held at Kings Point in May 1981 be vigorously pursued for the Long Island Sound region.

With regard to the content and design of the EIS we feel that it is generally adequate although we would have preferred more "hard" data

L11-1

Department of the Army

-2-

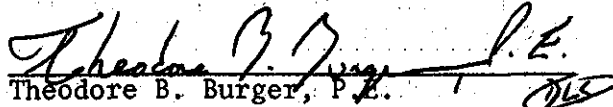
January 15, 1982

to support statements regarding impacts. We understand it to be "tiered" on the earlier programmatic EIS, but nevertheless feel that the document should be able to stand on its own where major conclusions are drawn since the DPEIS is restricted in availability.

A critical weakness of the report is that the importance of the lobster fishery is emphasized, but again the reader is given little more than unquantified general comments which are confusing. On page 10, the Western Sound is said to have the most productive lobster fishery in the Sound, while on the following page in the second paragraph, the writer asserts that the fishery is not considered important in the Western Sound.

If you have any questions regarding our position on this matter or require comment of a more technical nature regarding our concerns, please do not hesitate to call me at 516 - 535-3642.

Very truly yours,

  
Theodore B. Burger, P.E.  
Director  
Bureau of Water Pollution Control

TBB:DLS:dmr

Enclosure



NASSAU COUNTY DEPARTMENT OF HEALTH

240 OLD COUNTRY ROAD  
MINEOLA, N.Y. 11501

FRANCIS T. PURCELL  
COUNTY EXECUTIVE

JOHN J. DOWLING, M.D., M.P.H.  
COMMISSIONER

FRANCIS V. PADAR, P.E.  
ASST. DEPUTY COMMISSIONER  
DIV. OF ENVIRONMENTAL SERVICES

L11-2

STATEMENT BY THE NASSAU COUNTY DEPARTMENT OF HEALTH  
IN REFERENCE TO THE DEVELOPMENT OF AN ENVIRONMENTAL  
REPORT ON THE DISPOSAL OF DREDGED MATERIAL IN LONG  
ISLAND SOUND AT PUBLIC MEETING MAY 3, 1979, ON  
BEHALF OF JOHN J. DOWLING, M.D., M.P.H., COMMISSIONER

The Nassau County Department of Health has been monitoring water quality in Long Island Sound on a routine basis since 1969. We have witnessed and verified the deterioration in water quality from 1969 to the mid-1970's during which most of the County's Sound waters were gradually closed to commercial shellfishing. In 1973, only 10 percent of the Sound's waters in Nassau County, which were classified as potential shellfishing grounds were actually open to the harvesting of shellfish.

In recent years, however, there has been a significant improvement in Long Island Sound water quality contiguous to Nassau County. Subsequently, we have petitioned the New York State Department of Environmental Conservation to recognize the improved quality and reopen shellfish waters accordingly. In 1978, approximately 5000 acres were reopened in Long Island Sound, extending from Oak Neck Point in Bayville to Rocky Point in Centre Island. Another more recent petition to New York State is a request to permanently recertify approximately 8000 acres north of Glen Cove and if water quality continues to improve, seasonally certify approximately 5000 acres more, north of Hempstead Harbor.

In view of this encouraging trend in improving water quality, the Nassau County Department of Health is strongly opposed to the disposal of dredged material in western Long Island Sound, especially in areas of potential shellfishing, within or adjacent to Nassau County. The disposal of dredged material which is often highly contaminated by bacterial and chemical pollutants, represents a step backward and seriously threatens Long Island Sound resources.

In addition to the concern regarding the bacterial contamination resulting from dredge spoil disposal, there is also the concern

about inorganic and organic chemical pollution which would threaten the marine environment, especially the benthic community. Western Long Island Sound, the most stressed area of the Sound is also the most fragile of the Sound areas, while also providing an important "nursery" area for many of the organisms which are found throughout the Sound.

We would recommend that any site selected for dredged material disposal be suitably studied prior to and during the course of disposal operations in order to detect any possible impact as soon as possible. This would be recommended for any site, whether located in the Sound or the Ocean, and would minimize the risk of serious environmental consequences as a result of dredged material disposal.

A matter of special concern is the lack of long term field investigation regarding the impact of dredge spoil disposal in the Sound. An assurance by the Corps of a commitment to maintain monitoring and to provide funds to support it, is of great importance.

Any discussion concerning alternatives would have to take into account land disposal of dredged materials. Our groundwater aquifers are Nassau County sole source of drinking water. The disposal of any dredged materials may create an adverse impact on these groundwater supplies. Additional health and environmental problems are also possible depending on the nature of the dredged materials. Finally, Nassau County does not have any available land for the proper disposal of dredged materials which can be classified as hazardous wastes.



Thomas F. Maher, P.E.  
Acting Director  
Bureau of Water Surveillance

GPG:ARF:SK:dmr  
5/1/79



## The Incorporated Village of Bayville

34 SCHOOL STREET  
BAYVILLE, NEW YORK 11709

(516) 628-1439

MAYOR  
J. HOWARD STAPLETON

VILLAGE ATTORNEY  
VICTOR M. ORT

BOARD OF TRUSTEES  
GEORGE E. ALBRO, JR.  
EDWARD J. ESPOSITO  
ALFRED C. HESSE  
JOAN A. IMHOF  
GEORGE NIFOROS  
VICTORIA SIEGEL

January 15, 1982

U.S. Army Corps of Engineers  
New England Division  
Waltham, Mass. 02254

Gentlemen:

Over the years, efforts to improve the water quality of Long Island Sound have succeeded. Just a few years ago, thousands of acres along the Bayville shore were reopened for shellfishing. Numerous Bayville residents make their living thorough commercial shellfishing, while hundreds more engage in recreational fishing, lobstering and clamming. Our fragile marine environment faces a threat.

What concerns us is the proposed dump site for dredged spoil just one mile northwest of the recently proposed and abandoned Eaton's Neck site. The waters of Long Island Sound have limited water exchange and will not be able to sustain the impact of industrial spoil. The dredge that will be dumped comes from polluted city harbors and contains heavy metals, petro-chemicals, pesticides and related pollutants. The State's Environmental Impract Statement itself lists the organisms on the bottom which will be killed by the 90% of spoil which will sink to the bottom. The remaining 10% will be carried by currents.

JAN 20 1982



U.S. Army Corps of Engineers

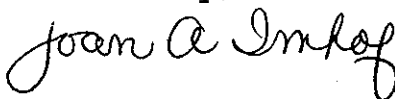
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January 15, 1982

It is my belief that this dumping will have a serious negative effect on the Sound's water quality, and, eventually, the fishing and swimming habits of Bayville residents as well as their health and welfare should our waters become polluted as a result of this dumping.

I respectfully request and urge the Army Corps to abandon this proposal and seek a more responsible alternative.

Cordially,



Joan A. Imhof  
Trustee

JAI:jb



CONSERVATION BOARD

# TOWN OF HUNTINGTON

KENNETH C. BUTTERFIELD, Supervisor

January 16, 1982

U.S. Army Corps. of Engineers  
New England Division  
Attn: Mr. David Tomey  
424 Trapelo Road  
Waltham, MA 02254

Dear Mr. Tomey:

Members of this Conservation Board have reviewed the Draft Environmental Impact Statement for the designation of a disposal site for dredged material in Western Long Island Sound (W.L.I.S.III). It is our position that no disposal activities should take place in this area since the following questions have not been satisfactorily addressed:

1. How can W.L.I.S. III site be legally considered when it was never part of the public hearings held on Long Island sound sites?
2. There is a serious flaw in the reasoning that disposal at Eatons Neck has shown no detrimental effects and as a result W.L.I.S.III can be considered safe also. How can it be reasonably assumed that the dredge spoil of the 1970's and 80's will have the same effect? How can the petro-organic contaminants received by our harbors and bays be considered similar when it is common knowledge that they contain more concentrated and complex residues than ever before?
3. There is a dangerous omission in the Corps. Management plan which could lead to serious liability. As cited in your report dredge disposal does contaminate the water column and accumulate in the marine food chain for some time during and after deposition. (Salia et al 1968) What comprehension plan and precautions exist that will prevent harvesting of contaminated organisms by professional fisherman and the public. We are talking about a 3-6 month time period.

After a review of available scientific literature, it is the opinion of this Board that no evidence exists that suggests disposal of spoil from Class I, let alone Classes II and III are environmentally safe for future generations. It must

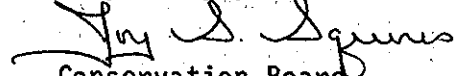


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be concluded that disposal of such materials, especially in such close proximity to human population, is at best a serious risk. What cost benefits exist to justify such a gamble? Until a tested and satisfactory methodology is developed that ensures contaminants will not find their way to the public, no Agency has the right to sanction dumping so close to our shores.

In addition, since the Conservation Board did not receive its copy of the DEIS until January 9, and since many interested parties who testified at the public hearing held in Huntington also did not receive copies, we request an extension of the deadline to enable all concerned individuals and groups to respond to the DEIS.

Very truly yours,

  
Conservation Board  
Joy S. Squires  
Chairperson

cc: Supervisor K.C. Butterfield  
Richard Ignatow  
Director, Department  
of Environmental Control





## Town of Huntington

Kenneth C. Butterfield, Supervisor

100 Main Street  
Huntington, New York 11743  
(516) 351-3000

January 18, 1982

U. S. Army Corps of Engineers  
New England Division  
Attention: Mr. David Tomey  
424 Trapelo Road  
Waltham, MA 02254

Dear Mr. Tomey:

As I read your latest proposal, it became quite apparent that you are selecting the site more on a popularity contest and economic basis rather than on scientific reasoning. You just continue to pull new proposal sites out of a "hat" 'til one is found that will not create public outcry. Mr. Tomey, this is no way to decide such an important and critical issue. What difference does it make if the spoil site is located north or south of an imaginary state boundary stretched across the Sound? The spoil still ends up going into Long Island Sound! If there is damage done it's going to affect us all, not just the obliging souls in Connecticut.

As I stated at the public hearing on October 28, 1981, as well as in all the previous hearings since 1975, disposal of dredged spoil into Long Island Sound must not be based upon economics and convenience of local interests. Undoubtedly, such a philosophy will surely end up costing us the deterioration of our natural resources.

The citizens of the Town of Huntington are quite concerned with the quality of our environment. Long Island Sound is a valuable resource that we do not want to see destroyed. The relatively delicate environmental balance cannot continue to be abused as already reflected by the closed shellfishing areas, the increasing amounts of contaminants found in the water and the rising quantities of heavy metals found in the sediment. Many of the Town's people rely on these waters for their livelihood. Many more enjoy the recreational activities, such as swimming, fishing, and, just as the people of Mamaroneck, boating. We do not want to see Long Island Sound become the dumping ground for potentially hazardous toxic materials that may irreversibly damage our environment in the future.

Since the Corps of Engineers is responsible to restore and maintain the chemical, physical and biological integrity of the nation's waters, it is inconceivable that a comprehensive and detailed dredging and disposing plan that will protect as well as utilize Long Island Sound to its greatest potential has yet to be devised. What are you waiting for?

U. S. Army Corps of Engineers

Page 2

January 18, 1982

Although this latest proposal does not precipitate any further assurance in your ability to protect our environment, I offer the following comments:

1. This WLIS site is being pushed under the guise of a disposal site for Mamaroneck dredge spoil. The report refers to a map that this disposal site will service. The map does not specify how many harbors or mention the extent of the proposed usage. According to information I received recently (Market User Survey for Selected Long Island Ports, Aug. 1981), a publication from your Planning Division, there are in reality thirty ports and harbors located in western Long Island Sound, most of which the Corps plans to dredge in the next fifty years.
2. The DEIS does not specify which category of spoil, Class I, II, or III will be allowed to be dumped there as was stipulated in the Interim Report.
3. The DEIS refers to the "extensive sandy ridge ranging from north of the Cable Anchor Reef to Eaton's Neck" for protection on the east. This "protection barrier" is approximately four miles east of WLIS. It makes me wonder why this so-called barrier is necessary if you state that there is no movement. Furthermore, before reaching this "barrier" the sediments would have to cross over the closed Eaton's Neck disposal site which just happens to be part of the Prime Lobster Grounds.
4. Heavy metal levels were found at testing sites outside of the disposal site. Since these stations had never been used previously for disposal operations, it could be an indication that there is more movement of the dredge spoil than previously speculated.
5. I am concerned with the overall impact on our Prime Lobster Grounds. The edge of the disposal site is approximately 2000 feet from the lobster area. Since the DEIS mentions conflicting reports on the effect of contaminated dredge materials on juvenile lobsters, it would appear evident that dumping in this area should not be considered until the issue is fully studied.
6. I am concerned about the dispersal of spoil at the site. While you state that the clam shell dredge (which reduces the mixing of sediments with the water column) will be used, you fail to indicate what precautions will be taken to trap the sediments that are dispersed in the current due to rough weather prior to landing on the Sound floor.

U. S. Army Corps of Engineers

Page 3

January 18, 1982

7. At the last hearing there was quite a bit of confusion as to which sites were actually supposed to be commented on. The people who attended and spoke were apparently confused by the presentation and not aware that the WLIS III was a different site. It was quite apparent that their remarks were based on the recommendations of the original five volume Programmatic Draft Environmental Statement. No one on the dais attempted to inform the speakers of the change of sites. Therefore, now that we have all the information on this WLIS, I feel it is necessary to have a public hearing at this time prior to any decision on this matter.

8. You have failed to include all interested parties on your mailing list of this latest proposal. Many of the concerned people who had given statements at the last public hearing were not even notified of this latest proposal. Due to this confusion and lack of sufficient copies, I suggest (demand) an extension of the deadline to enable all who are interested to obtain a copy.

Therefore, for the above reasons and for the fact that your own Programmatic E.I.S. indicates that the WLIS III site is located in an area designated as a "high minus" potential for water quality deterioration, I strongly object and will do whatever is necessary to protect our region's natural resources as we have done in the past.

Smithtown's Supervisor, Patrick R. Vecchio, also concurs with our position. His Town would be equally affected by your proposal.

Very truly yours,

  
KENNETH C. BUTTERFIELD  
Supervisor

KCB:rkr

cc: Patrick R. Vecchio

SHORE ACRES POINT CORPORATION  
555 ALDA ROAD  
MAMARONECK, NEW YORK 10543

Pl

December 17, 1981

C.E. Edgar III  
Lt. Colonel, Corps of Engineers  
Division Engineer  
Department of the Army  
New England District Corp. of Engineers  
424 Trapelo Road  
Waltham, Mass. 02154

Re: Draft Environmental Impact Statement - designation  
of a disposal site for dredged materials for Western  
Long Island Sound - WLIS III

Dear Lt. Col. Edgar:

The undersigned is writing in support of the Environmental Impact Statement regarding WLIS III.

The Connecticut State Department of Environmental Protection, who proposed the site, and the New York State Department of Environmental Conservation has gone on record as favoring the opening of WLIS III. Commissioner Pac of the Connecticut Department of Environmental Protection wrote that "...WLIS III provides a practicable disposal option for materials judged suitable for open-water disposal... would not impact existing lobster resources...is far removed from lobster and oyster grounds and will not conflict with other known uses of the area...and would increase the areas holding capacity for lobsters and finfish by improving the habitat diversity of the otherwise featureless muddy bottom."

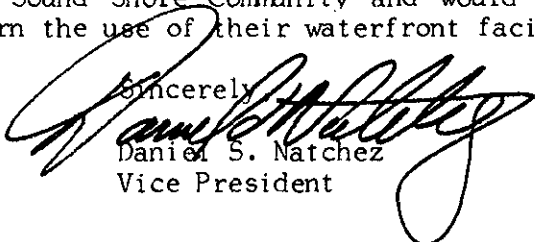
Numerous national, state and local elected representatives have gone on record as endorsing this site, both in writing and during testimony on the Public Notice and Public Hearing #24-81-563.

The need for an environmentally safe disposal site in Western Long Island Sound has reached critical proportions. The harbors and waterfront areas of lower Connecticut, Westchester County and nearby Long Island desperately need dredging to maintain and foster current and future recreational and commercial needs. The Mamaroneck projects are an example of some of the needs which must be satisfied economically as well as environmentally.

The States of Connecticut and New York, as well as the Army Corps of Engineers early in 1981 reviewed the bioassay and other tests performed on the proposed Mamaroneck dredged materials and granted permits for the disposal of these spoils in Long Island Sound off New Haven. These agencies have deemed the disposal of such spoils in Long Island Sound to be acceptable environmentally and ecologically. Both the States of Connecticut and New York have indicated their approval of the issuing of permits for disposal of the Mamaroneck spoils at WLIS III when it is opened. The substantial dollar savings by disposal at WLIS III as opposed to New Haven will make the difference between many dredging projects in the Long Island Sound shore areas going forward or not.

We urge the speedy opening of the WLIS III disposal site. Any delay and/or denial would not be in the best interests of the WLIS Sound Shore Community and would seriously jeopardize their dredging projects and in turn the use of their waterfront facilities.

Sincerely,

  
Daniel S. Natchez  
Vice President

# Nichols

YACHT YARDS

December 17, 1981

C.E. Edgar III  
Lt. Colonel, Corps of Engineers  
Division Engineer  
Department of the Army  
New England District Corp. of Engineers  
424 Trapelo Road  
Waltham, Mass. 02154

Re: Draft Environment Impact Statement - designation  
of a disposal site for dredged materials for Western  
Long Island Sound - WLIS III

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The states of Connecticut and New York, as well as the Army Corps of Engineers early in 1981 reviewed the bioassay and other tests performed on the proposed Mamaroneck dredged materials and granted permits for the disposal of these spoils in Long Island Sound off New Haven. These agencies have deemed the disposal of such spoils in Long Island Sound to be acceptable environmentally and ecologically. Both the States of Connecticut and New York have indicated their approval of the issuing of permits

## LOCATIONS

■ NICHOLS, MAMARONECK, N.Y.  
500 Rushmore Ave.  
Mamaroneck, N.Y. 10543  
(914) 898-8085

■ NICHOLS, RYE, N.Y.  
101 Hix Ave.  
Rye, New York 10580  
(914) 967-3484

■ NICHOLS, FLUSHING, N.Y.  
World's Fair Marina  
Northern Blvd., Flushing, N.Y. 11368  
(212) 898-6300

■ NICHOLS, MANHATTAN, N.Y.  
Hudson Harbor Boat Basin, Inc.  
79th St. & Hudson River  
New York, N.Y. 10024  
(212) 362-0909

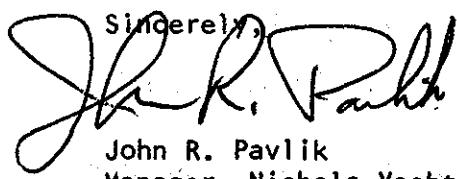
■ NICHOLS, STATEN ISLAND  
Great Kills Park Marina  
P.O. Box 98  
Staten Island, N.Y. 10306  
(212) 351-8476

■ NICHOLS BAYSIDE MARINA  
Foot of 28th Ave. & Belt Pkwy.  
Bayside, N.Y. 11360  
(212) 229-9565



for disposal of the Mamaroneck spoils at WLIS III when it is opened. The substantial dollar savings by disposal at WLIS III as opposed to New Haven will make the difference between many dredging projects in the Long Island Sound shore areas going forward or not.

We urge the speedy opening of the WLIS III disposal site. Any delay and/or denial would not be in the best interests of the WLIS Sound Shore Community and would seriously jeopardize their dredging projects and in turn the use of their waterfront facilities.

Sincerely,  


John R. Pavlik  
Manager, Nichols Yacht Yards, Inc.

sp



OFFICE OF  
THE COMMODORE

December 17, 1981

C.E. Edgar III  
Lt. Colonel, Corps of Engineers  
Division Engineer  
Department of the Army  
New England District Corp. of Engineers  
424 Trapelo Road  
Waltham, Mass. 02154

Re: Draft Environmental Impact Statement - designation  
of a disposal site for dredged materials for Western  
Long Island Sound - WLIS III

Dear Lt. Col. Edgar:

The undersigned is writing in support of the Environmental Impact Statement regarding WLIS III.

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The need for an environmentally safe disposal site in Western Long Island Sound has reached critical proportions. The harbors and waterfront areas of lower Connecticut, Westchester County and nearby Long Island desperately need dredging to maintain and foster current and future recreational and commercial needs. The Mamaroneck projects are an example of some of the needs which must be satisfied economically as well as environmentally.



OFFICE OF  
THE COMMODORE

The States of Connecticut and New York, as well as the Army Corps of Engineers early in 1981 reviewed the bioassay and other tests performed on the proposed Mamaroneck dredged materials and granted permits for the disposal of these spoils in Long Island Sound off New Haven. These agencies have deemed the disposal of such spoils in Long Island Sound to be acceptable environmentally and ecologically. Both the States of Connecticut and New York have indicated their approval of the issuing of permits for disposal of the Mamaroneck spoils at WLIS III when it is opened. The substantial dollar savings by disposal at WLIS III as opposed to New Haven will make the difference between many dredging projects in the Long Island Sound shore areas going forward or not.

We urge the speedy opening of the WLIS III disposal site. Any delay and/or denial would not be in the best interests of the WLIS Sound Shore Community and would seriously jeopardize their dredging projects and in turn the use of their waterfront facilities.

Sincerely,

Arthur Steiner

December 17, 1981

py

C.E. Edgar III  
Lt. Colonel, Corps of Engineers  
Division Engineer  
Department of the Army  
New England District Corp. of Engineers  
424 Trapelo Road  
Waltham, Mass. 02154

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Sincerely,  
WRIGHT ISLAND MARINA  
290 DRAKE AVE.  
New Rochelle N.Y. 10805

December 17, 1981

PS

C.E. Edgar III  
Lt. Colonel, Corps of Engineers  
Division Engineer  
Department of the Army  
New England District Corp. of Engineers  
424 Trapelo Road  
Waltham, Mass. 02154

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Sincerely,



Anthony Patrick Porco<sup>P6</sup>  
39 Bowling Lane  
Deer Park, N.Y. 11729

Dear Mr. David Zoney,

I read your Draft  
Environmental Impact Statement  
for The Designation of a Disposal  
Site For Dredged Material in  
Western Long Island Sound  
WLIS III. It was very in-  
terested to read but sorry  
to say I don't agree with  
this idea. I can't see a  
Disposal Site anywhere in  
Long Island Sound and I can't  
see materials being dumped  
in the Sound. I am a strong  
environmentalist. First of all  
I am a strong believer in the  
ecology of Long Island Sound.

(2)

I don't want to see this  
 material going into the Sound.  
 If you want to Dump this  
 material dump it far away  
 from Long Island Sound. President  
 Reagan is doing a wonder-  
 ful job - destroying areas of  
 interest for human beings.  
 I say this because I am a  
 strong Environmentalist and I  
 can't see all the ocean  
 life and our water we drink  
 and so forth being destroyed.  
 I wrote to Connecticut about  
 this but I asked them not  
 to send me any letter back.  
 I am a strong opponent of a  
 bridge over Long Island Sound  
 and I want the ecology of  
 the Sound protected.

(3)  
And not having people coming  
in and destroying what  
God created. Water plays  
a very important part in our life  
on earth. Please understand  
what I am trying to say.  
Thank you  
Write to me if you want  
to,

Yours truly  
Anthony Patrick Pers



P7  
December 17, 1981

C.E. Edgar III  
Lt. Colonel, Corps of Engineers  
Division Engineer  
Department of the Army  
New England District Corp. of Engineers  
424 Trapelo Road  
Waltham, Mass. 02154

POLYCHRON MARINA CO.  
94 HUDSON PARK ROAD  
NEW ROCHELLE, NEW YORK 10805

Re: Draft Environmental Impact Statement - designation  
of a disposal site for dredged materials for Western  
Long Island Sound - WLIS III

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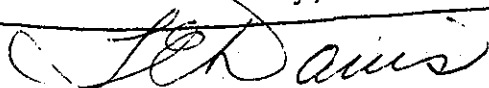
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Sincerely,



December 17, 1981

P8

C.E. Edgar III  
Lt. Colonel, Corps of Engineers  
Division Engineer  
Department of the Army  
New England District Corp. of Engineers  
424 Trapelo Road  
Waltham, Mass. 02154

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Sincerely,

*Robert Buss, Marine Services*  
*Chairman A. Bohmelt, Pres.*



Port of New York and New Jersey

# SAVE OUR PORT

15 Stelton Road, Piscataway, New Jersey 08854

December 29, 1981

New England Division,  
Corps of Army Engineers  
424 Trapelo Road  
Waltham, Mass. 02254

Attention: Mr. David Tomey

Dear Sir:

Save Our Port is a coalition of business, labor, industry and government concerned with a proper balance between environmental and economic values in the disposal of dredged material in the Port of New York. We welcome the opportunity to comment on the Draft EIS for the Designation of a Disposal Site for Dredged Material in Western Long Island Sound - WLIS III.

Save Our Port would welcome the re-establishment of a dredged material disposal site in Western Long Island Sound that could serve the nearby sectors of the Port of New York and the communities of the Western Long Island Sound Basin. The Draft EIS has identified the WLIS III site as a potential area that is well suited for the purpose and is also deemed to be acceptable from an environmental point of view. In the absence of such a site, dredged material must be transported at considerable extra cost to the Federal disposal site located in the Atlantic Ocean or the Central Long Island Sound site located near New Haven, Connecticut. This extra towing, astronomically increases the dredging costs.

Therefore, since the WLIS III site is the most economically advantageous and is deemed environmentally acceptable, Save Our Port urges that the New England Division designate the WLIS III site as the Federally approved disposal site in Western Long Island Sound.

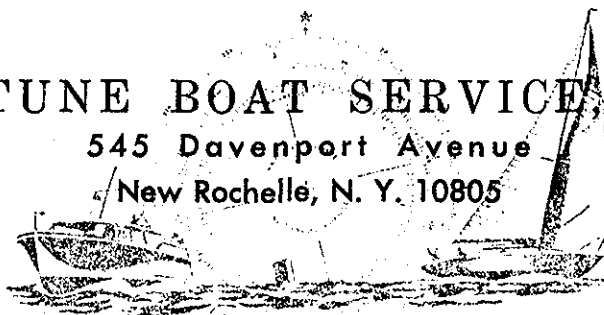
Thank you.

Sincerely,

Dr. John Buzzi, P.E.  
Chairman  
Save Our Port

# NEPTUNE BOAT SERVICE, INC.

545 Davenport Avenue  
New Rochelle, N. Y. 10805



HANS GORZISKA

THOMAS GORZISKA

Dec. 29, 1981

C.E. EDGAR III  
LT. COLONEL, CORPS OF ENGINEERS  
Division Engineer  
Department of the Army  
New England District Corp. of Engineers  
424 Trapelo Road  
Waltham, Mass. 02154

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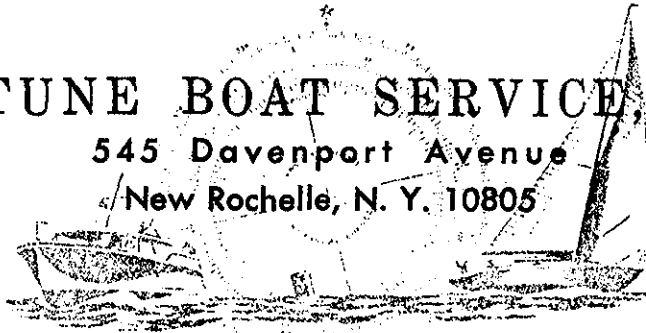
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# NEPTUNE BOAT SERVICE, INC.

545 Davenport Avenue

New Rochelle, N. Y. 10805



HANS GORZISKA

THOMAS GORZISKA

Dec. 29, 1981

Re: Draft Environmental Impact Statement--designation  
of a disposal site for dredged materials for Western  
Long Island Sound--WLIS III

We urge the speedy opening of the WLIS III disposal site. Any delay and/or denial would not be in the best interests of the WLIS III Sound Shore Community and would seriously jeopardize their dredging projects and in turn the use of their waterfront facilities.

Sincerely,

A handwritten signature in black ink, appearing to read 'Thomas Gorziska'. The signature is stylized with a large 'T' and a circular flourish at the end.

THOMAS GORZISKA

Anthony Patrick Porco<sup>P.11</sup>  
39 Bowling Lane  
Deer Park, N.Y. 11729

Dear Mr David Jones,

I am writing this letter  
in reference to the Draft Envir-  
onmental impact statement for  
The Designation of a Disposal  
Site for Dredged Material in  
Western Long Island Sound  
W. 2 is III. I am a citizen of this  
country and I have lots of conn-  
ections with different people  
and Senators & Assembly Men &  
Women of New York State & Conn-  
ecticut. Church Leaders, Envir-  
mentilists, Supervisors of Suffolk  
& Nassau County. I also have  
connections with one or two people  
from Connecticut also. They are  
friends of mine. I also have

(2)

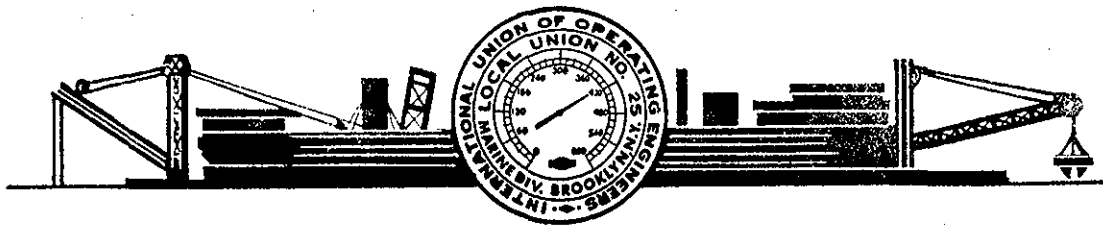
a friend in the federal Government that I know, so I am telling you something that you should think twice before you dump any sludge in the sound. I am strictly against disposing of material ~~in the~~ waste in Long Island Sound. We don't want the ecology of Long Island Sound being destroyed. This sludge should be ~~dumped~~ dumped miles & miles away from Long Island Sound, not in the sound. No matter how cheap it is to dump this material in the sound it should not be dumped. The sound has been perused ~~for~~ for years and years and we don't need all this material dumped here.

(3)  
So I say again to you, think  
very very serious about dumping  
this material which is called  
sludge in the found. I would  
like you to send me back  
a answer on what I wrote  
in my letter I will be  
waiting to here from you  
real soon. Thank you.

Yours truly  
Anthony Patrick Porco

P.S. I want you to know that  
I am a very strong Environment-  
alist.





# INTERNATIONAL UNION OF OPERATING ENGINEERS

AFFILIATED WITH AFL-CIO

## HEADQUARTERS

675 FOURTH AVENUE  
BROOKLYN, N. Y. 11232  
212-768-5138

STEPHEN J. LESLIE  
PRESIDENT AND BUSINESS MANAGER

ALLEN W. FRANCIS  
VICE-PRESIDENT

WILLIAM ZENGA  
FINANCIAL SECRETARY

VINCENT J. MOTZEL  
RECORDING-CORR. SECRETARY

EUGENE GOLE  
TREASURER

•

## BRANCH OFFICES

PHILADELPHIA  
2804 SO. FOURTH ST.-19148  
215-238-4664  
(N.J.) 609-966-1186

NORFOLK  
115 THIRD STREET-23510  
804-622-2461

TAMPA  
1311 N. WESTSHORE BLVD.-33607  
813-870-2965

## LOCAL 25 • MARINE DIVISION

DREDGEMEN • BOAT OPERATORS • DRILLERS AND HELPERS

December 30, 1981

U. S. Army Corps of Engineers  
New England Division  
424 Trapelo Road  
Waltham, Mass. 02254

Attention: Mr. David Tomey

Dear Sir:

After reviewing the Draft Environmental Impact Statement for the Designation of a Disposal Site for Dredged Material in Western Long Island Sound - WLIS III, Local 25 welcomes the opportunity to submit our comments.

For many years the Eaton's Neck area was used as a practical disposal site for dredged material generated in the upper East River and Western Long Island Sound areas without any noticeable adverse environmental impacts. In fact, as the draft EIS indicates, the disposal of dredged material at Eaton's Neck has actually enhanced the existing fishery by increasing benthic productivity and by creating habitat. Due to overzealous environmental considerations, this site was discontinued in 1973.

The closure of the Eaton's Neck necessitates that any dredged material generated in the naturally shoaled waterways of this area must be disposed in Alternate Sites. These sites are located in Eastern Long Island Sound or at the Atlantic Ocean Mud Dump site which is located six miles east of Sandy Hook, New Jersey.

Due to the longer towing distance, utilization of larger tug-boats and larger capacity dump scows is required. These extra cost measures astronomically increase the cost of dredging to the point of eliminating most private marinas, municipalities and waterfront business from the market place.

U.S. Army Corps of Engineers  
Waltham, Mass. 02254

-2-

December 30, 1981

This unnecessary waste of time, energy and money are luxuries we can no longer afford.

The draft EIS does not consider the economic ramifications of the discontinued Eaton's Neck site as it has considered "possible" environmental impacts of establishing a disposal site for dredged material in Western Long Island Sound - WLIS III. The EIS superficially addresses the economic impacts by generalities referring to increased dredging costs and the socio-economic well being of the region. Many economic factors must be considered, along with legitimate environmental concerns, to reach a realistic balance of the total public interest. The economic consequences to the region can be great; the added costs the consumer must pay for much costlier overland transportation, the economic hardships that are created when waterfront businesses are forced to operate at less than full capacity and the loss of tax revenue. But the most overlooked economic impact is the unemployed worker. When a worker becomes unemployed due to overzealous environmental concerns, he does not become just a statistic. He becomes a ward of the taxpayer through the unemployment and welfare system.

The absolute reality that the maintenance and improvements of the regions waterways are vital for the continued socio-economic well-being of the region cannot be understated. Therefore, on behalf of the Officers and membership of Local 25, I respectfully urge that the WLIS III site be designated as the Federally approved disposal site for dredged material in the Western Long Island Sound region.

Thank you.

Sincerely,

*Stephen J. Leslie*  
Stephen J. Leslie  
President and Business Manager  
First General Vice President  
I.U.O.E.

P13

# Concord Hill Civic Association, Inc.

P. O. Box 9  
Huntington, N. Y. 11743

January 4, 1982

✓ Colonel C.E. Edgar, III  
Division Engineer  
Department of the Army  
New England Division  
Corps of Engineers  
424 Trapelo Road  
Waltham, Massachusetts 02254

Re: NEDPL - I

Dear Colonel Edgar:

Your letter dated 14 December 1981 requested comments on the "Draft Environmental Impact Statement for the Designation of a Disposal Site for Dredged Material in Western Long Island Sound - WLIS III". Our comments follow:

1. The use of the nomenclature "WLIS III site" is unfair and misleading. At page 3 of the EIS it is stated that the designation of the WLIS III site was the subject of three public meetings in Connecticut and New York on October 27, 28 & 29, 1981. I was present at the October 28 public hearing. Not once at the hearing nor at a single place do the handouts of that hearing mention the term WLIS III. Please see the attached map distributed at the hearing. The reason why this map is different from Figure 1 of the EIS is totally unclear. In any case, the Corps has either confused or deceived the public. It was my understanding that the purpose of the October 1981 public hearings was to consider a proposal to re-designate the use of the Eaton's Neck site as a dredged material disposal site. This contention is supported by newspaper stories (e.g. Newsday November 4, 1981) which reported that the Corps had decided, as a result of the hearings, to abandon its proposal to use Eatons Neck but to designate instead an alternative dumping ground nearby. I can only presume that the alternative dumping ground referred to is WLIS III. Based on the above, the Corps must hold another set of hearings on its revised proposal - the use of WLIS III as a future dredged material disposal site. (At these hearings, the Corps should use the same map as appears in the EIS).

2. The EIS' summary section is correct in noting that the unresolved issue is whether a regional disposal site should be designated in Western Long Island Sound. We think it should not be and support instead the No Action Alternative (i.e. continued use of the Central Long

Island Sound Regional Disposal Site near New Haven). The Corps and the applicants from Mamaroneck Harbor, who desire to use a Western Long Island Sound dump site, have failed the economic hardship test. Indeed the EIS does not seem to address at all what the exact economic hardship of the continued use of a more distant disposal site would be to these applicants. It is significant to note that most of these applications are private individuals who apparently want to dredge in front of their own docks so that their pleasure boats can be used. Other applications include yacht clubs and boat yards. With this in mind, it is difficult to comprehend how the Corps can be willing to designate a Western Long Island Sound dump site that will (according to the EIS) impact lobster and finfish fisheries and largely just benefit the recreational whims of a few. Is this really an economic hardship? The Mamaroneck Harbor applicants should take advantage of the economy of scale. Put another way, these applicants should group together and have a dredging contractor both dredge their individual areas at the same time and then make one trip to the Central Long Island Sound Site or the Dredged Material (Mud Dump) Site in New York Bight. This would substantially reduce the cost of each individual job (i.e. lessen the individual economic hardship).

Thanking you for the opportunity to submit these comments I remain.

Very truly yours,

*Vincent de Pass*

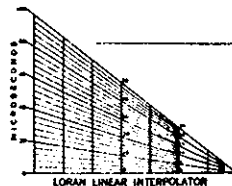
Vincent de Pass

VdP/gs

Attachment

cc: Mr. David Tomey

# CONNECTICUT



1. PRELIMINARY SURVEY DATA  
Connecticut's State Map is the most accurate available.

2. RADAR REFLECTORS  
These reflectors have been placed at various points along the coast to aid in navigation.

3. HULL OF COAST REPORTS  
These reports are based on the results of the U.S. Coast Survey and are the most accurate available.

4. CRUISE  
These are the results of the U.S. Coast Survey and are the most accurate available.

5. CRUISE  
These are the results of the U.S. Coast Survey and are the most accurate available.

6. CRUISE  
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20. CRUISE  
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RK

## WESTERN LONG ISLAND SOUND

Historic Dredge Material Disposal Sites - CLEAR

Name

Year Last Used

Estimated Quantity Dumped

Potential Dredged Material Disposal Sites - SHADED

ATTACHMENT 2



## DURLAND SCOUT CENTER • WESTCHESTER-PUTNAM COUNCIL, B.S.A.

January 5, 1982

C.E. Edgar III  
Lt. Colonel, Corps of Engineers  
Division Engineer  
Dept. of the Army  
New England District Corp of Engineers  
424 Trapelo Rd.  
Waltham, Mass. 02154

Re: Draft Environmental Impact Statement - designation of a  
disposal site for dredged materials for Western Long Island  
Sound - WLIS III

Dear Lt. Col. Edgar:

The undersigned is writing in support of the Environmental Impact Statement regarding WLIS III.

The Connecticut State Department of Environmental Protection, who proposed the site, and the New York State Department of Environmental Conservation has gone on record as favoring the opening of WLIS III. Commissioner Pac of the Connecticut Department of Environmental Protection wrote that "...WLIS III provides a practicable disposal option for materials judged suitable for open-water disposal .. would not impact existing lobster resources...is far removed from lobster and oyster grounds and will not conflict with other known uses of the area...and would increase the areas holding capacity for lobsters and finfish by improving the habitat diversity of the otherwise featureless muddy bottom.


Numerous national, state and local elected representatives have gone on record as endorsing this site, both in writing and during testimony on the Public Notice and Public Hearing #24-81-563.

The need for an environmentally safe disposal site in Western Long Island Sound has reached critical proportions. The harbors and waterfront areas of lower Connecticut, Westchester County and nearby Long Island desperately need dredging to maintain and foster current and future recreational and commercial needs. The Mamaroneck projects are an example of some of the needs which must be economically as well as environmentally.

The States of Connecticut and New York, as well as the Army Corps of Engineers early in 1981 reviewed the bioassay and other tests performed on the proposed Mamaroneck dredged materials and granted permits for the disposal of these spoils in Long Island Sound off New Haven. These agencies have deemed the disposal of such spoils in Long Island Sound to be acceptable environmentally and ecologically. Both the States of Connecticut and New York have indicated their approval of the issuing of permits for disposal of the Mamaroneck spoils at WLIS III when it is opened. The substantial dollar savings by disposal at WLIS III as opposed to New Haven will make the difference between many dredging projects in the Long Island Sound shore areas going forward or not.

We urged the speedy opening of the WLIS III disposal site. Any delay and/or denial would not be in the best interests of the WLIS Sound Shore Community and would seriously jeopardize their dredging projects and in turn the use of their waterfront facilities.

Sincerely,

  
Larry Bradley  
Director

LB:dos

December 17, 1981

P15

C.E. Edgar III  
Lt. Colonel, Corps of Engineers  
Division Engineer  
Department of the Army  
New England District Corp. of Engineers  
424 Trapelo Road  
Waltham, Mass. 02154

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Sincerely,

*David Carver*



PH

# NORTHEAST UTILITIES



THE CONNECTICUT LIGHT AND POWER COMPANY  
THE HARTFORD ELECTRIC LIGHT COMPANY  
WESTERN MASSACHUSETTS ELECTRIC COMPANY  
HOLYOKE WATER POWER COMPANY  
NORTHEAST UTILITIES SERVICE COMPANY  
NORTHEAST NUCLEAR ENERGY COMPANY

General Offices • Selden Street, Berlin, Connecticut

P.O. BOX 270  
HARTFORD, CONNECTICUT 06101  
(203) 666-6911

January 7, 1982  
DSD-82-05

C. E. Edgar, III  
Colonel, Corps of Engineers  
Division Engineer  
Department of the Army  
New England Division  
Corps of Engineers  
424 Trapelo Road  
Waltham, MA 02254

Dear Colonel Edgar:

We have received a copy of your December 1981 draft environmental impact statement for the designation of a disposal site for dredged material in Western Long Island Sound, WLIS III.

We are pleased to note that site WLIS II has been removed from consideration. As it is noted, this site was located over an inter-connecting electric power cable between Long Island and Connecticut. We are pleased the Corps has considered the comments of our company and Long Island Lighting Company and has chosen a new site out of the cable area.

Thank you for your consideration and concerns for maintenance and viability of our electric cable circuit to Long Island.

We have no particular comments relating to WLIS III, but do wish you success in resolving the issue of a Western Long Island Sound disposal site designation.

Very truly yours,

A handwritten signature in black ink, appearing to read 'P. T. Ashton', written over a horizontal line.

Philip T. Ashton  
Vice President

DMC:pas

cc: R. F. Burnham  
A. A. Chase  
R. Luther

RICHARD SHALVOY

75 Park Avenue P.O. Box 2

Babylon, New York 11702

(516) 422-1425

January 10, 1982

Army Corps of Engineers  
New England Division  
Waltham, Massachusetts 02254

RE: Environmental impact report on the proposed dumping of dredge spoils into Long Island Sound at the southernmost parallel of Connecticut waters due magnetic north of Huntington Bay.

My information regarding the above has so far been limited to various news articles and editorials which have appeared in Newsday during the past few months. Not knowing whether or not you have a policy of responding to public comment letters, I hope you will not think it presumptuous of me to request a response to this one.

Is it true that approximately 65,000 cubic yards of the material you plan to dump into the Sound is contaminated by industrial sewer discharges, grease, oil and whatever other petroleum distillates and miscellaneous contaminants happen to be present? And how certain are you that your estimate of 10% — 10% of the total load of 641,000 cubic yards — is accurate? Couldn't these industrial wastes and hydrocarbonaceous pollutants have been deposited in greater amounts than you suspect?

Some people (evidently nonswimmers) seem to think that salt water is the perfect receptacle for anything mankind wishes to dispose of. On the other side of the coin there are those who will look upon your dumping as a vexatious nightmare in aqueous suspension. Even in my most optimistic frame of mind my best hopes are that the truth in this case will fall somewhere between the two opposing viewpoints.

Your proposal is a matter of particular concern for me because I swim a 10 mile course from the Eatons Neck Coast Guard Station to Calfpasture Beach in Norwalk, and I look forward to the help of an outgoing tide and a wind out of the southwest when I make the swim. (I also look forward to visiting with my relatives who live in Norwalk.) Having worked as an ocean lifeguard at Robert Moses State Park for the past 8 years, I can

Page 2  
Army Corps of Engineers  
Jan. 10, 1982

honestly say that the benefits of marathon swimming are based not only on a feeling of personal achievement but also on its value as a conditioning exercise. I can also honestly say, however, that the level of benefit one derives from any kind of swimming is inversely proportional to the level of pollution in the water.

If you happen to be of the opinion that beneficial swimming and polluted water are nonconflicting, please by all means send me your arguments in favor of their compatibility.

Wishing to avoid swimming head-first into a super-saturated solution of salt water and polluted muck, I was hoping you might be able to notify me of exactly when you're going to be doing the dumping. I will then plan my swimming as far in time as possible from your periods of dumping.

Please also include in your response any information you feel might be helpful to me in my planning. For instance, I would like to know approximately how long to wait after a dumping based on reasonable estimates of wind and current movements.

Allow me to express in advance my gratitude for your time and concern.

Very truly yours,



Richard Shalvoy  
RS:rls  
cc: Newsday

ROBERT N. OLSEN  
8 CAMERON PLACE - NEW ROCHELLE, N. Y. 10804

January 8, 1982

C.E. Edgar III  
Lt. Colonel, Corps of Engineers  
Division Engineer  
Department of the Army  
New England District Corp, of Engineers  
424 Trapelo Road  
Waltham, Mass. 02154

Re: Draft Environmental Impact Statement-  
designation of a disposal site for  
dredged materials for Western Long  
Island Sound - WLIS III

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ROBERT N. OLSEN

8 CAMERON PLACE - NEW ROCHELLE, N. Y. 10804

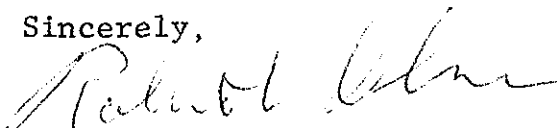
-2-

C.E. Edgar III

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Sincerely,



ROBERT N. OLSEN

PETER J. ELISEO

ATTORNEY AT LAW

300 GARDEN CITY PLAZA, SUITE 326

GARDEN CITY, N.Y. 11530

TELEPHONE: 516 746-5588

ADMITTED N.Y. & FLA. BARS

December 29, 1981

Army Corps of Engineers  
New England Division  
Waltham, Mass. 02254

Re: Dumping of Contaminated Dredge Materials  
in Long Island Sound

Dear Sir:

Please be advised that I hereby register my most strenuous objection to your report supporting the proposal to dump dredged materials from Westchester harbors in the Long Island Sound. It is incredible that you acknowledge in the report that the dumping would kill tiny fish and lobsters in the immediate area, yet advocate dumping less than a mile away from Long Island's lobster grounds. You certainly have not proven to me, in your report, that this dumping would not affect the Long Island lobster industry.

I would therefore respectfully suggest that the people in Westchester County find alternate means of disposing of their garbage, rather than dumping it in our backyards.

Yours truly,

  
Peter J. Eliseo

PJE:fe

ALL 4 NOV 2  
JAN 4 1982

COMMENTS

AUTHOR UNKNOWN

WESTERN L.I.S. III

EIS

Summary, Section C, Areas of Controversy, Concern (3):

Line 4 - Statement misleading - Ocean Dumping Criteria applicable to projects where dredged material is over 25,000 cy.

Pg. I, Section I, Part A, line 6

Sentence poorly constructed and misleading

Suggest: Dredging operations will use a clam shell dredge and bottom dumping scow.

Pg. I, Section I, Part B, line I

"Over half of the harbors in L.I. S. are located in the western basin."

Is this statement true?

Page 4, Section II, Part F

Mention briefly the DPEIS assessment of upland disposal, sanitary landfill cover and beach resotration alternatives.

Conclusion Section

A conclusion section should appear before Section V, Coordination.

The conclusions mentioned in the summary could be expanded in a separate "conclusion Section".

Table I

Table I is unnecessary because all have potential for applicablility.

Preface:

line 10 - 12

Sentence contains a double negative, remove one negative.

Summary, Section A, Findings, Paragraph 4, line 12

Incorrect spelling of probability

JAN 11 1982

COMMENTS  
WESTERN L.I.S. III EIS

Section B, Conclusions, paragraph 2, line 2

Incorrect spelling of designation

Section D, Unresolved Issues

Last sentence makes no sense  
"and the opposition of the Huntington community and vicinity  
to any disposal in their area."

Section I, Needs & Objectives

A. Action Incorrect spelling of shell

Section II, Alternatives

Section G, part economic

An explanation should be made on why the per mile cost increases so much.  
Or, one could give transportation costs only as an example and not include  
mobilization costs.

Section IV Environmental Consequences

Part A, #I, Action of Disposal, 2nd sentence.  
Does this mean that WLIS Harbors dredged by other than a clam shell  
could not use WLIS disposal site III?



## MONTAUK SURFCASTERS ASSOCIATION

P.O. BOX 497 • MONTAUK, NEW YORK 11954

January 11, 1982

Colonel C. E. Edgar III  
Corps of Engineers  
Department of the Army  
New England Division  
424 Trapelo Road  
Waltham, Massachusetts 02254

Dear Sir:

I want, first, to thank you for forwarding to us your Draft Environmental Impact Statement for the Disposal of Dredge Material in Western Long Island Sound (WLIS III).

I also wish to respond that the Montauk Surfcasters Association is unequivocally opposed to the dumping of such filth anywhere in Long Island Sound - your assertions that the environmental impact would be negligible notwithstanding.

This is 1982, Colonel Edgar. It is not the environmental dark ages of the 20's, 30's and 50's. The time has long since passed when taxpayers will allow their sense of esthetic propriety to be overwhelmed by engineering/cost considerations alone - those considerations being of questionable accuracy at best. Nothing should ever be dumped anywhere off Long Island that is not immediately biodegradable or can become a part of the food/nutrient chain. These waters are our home. We live and play on them and eat from them. The Montauk Surfcasters Association and its fellow Islanders can no more accept the dumping of dredge spoil in the Sound than you would entertain the dumping of garbage on your dining room table.

You speak in your cover letter of "the economic hardship of the continued use of a distant disposal site" - presumably the hardship of the taxpayers footing the bill for your work. But the people living on the Sound are not destitute, Colonel Edgar. Although we believe that those industries who create waste should be responsible for proper disposal at their cost, we also recognize that the cost of maintaining a pure environment should be borne to some degree by all of us - by way of either higher prices or taxes.

Colonel C. E. Edgar III

-2-

January 11, 1982

So, if we have to pay, we will. The point is that the "economic hardship" does not have to be avoided by pursuing the financial expediency of least resistance and simply dumping the crap where the taxpayers live. As far as we are concerned, acceptance of the "economic hardship" by industry, consumer and taxpayer alike is a far better alternative than the one you propose.

Again, I thank you for the opportunity to comment.

Yours truly,



J. M. Kayal  
Public Affairs Director

7 Iris Court  
Northport, New York 11765  
January 8, 1982

Division Engineer  
U.S. Army Corps of Engineers  
New England Division  
424 Trapelo Road  
Waltham, Ma. 02254

Dear Sir:

We have examined the "Draft Environmental Impact Statement for the Designation of a Disposal Site for Dredged Material in Western Long Island Sound WLIS III" and wish to make the following comments:

In the summary, you have indicated that "The lack of any noticeable adverse impacts at the nearby Eaton's Neck disposal site after many years of disposal suggests a low probability of potential problems." This statement indicates that there is still the possibility of a problem of an unknown nature and severity. Although there are economical advantages to the use of WLIS III, we feel that one should not risk the possible disastrous consequences of such dumping.

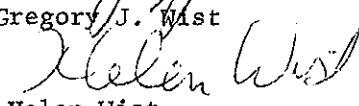
Once again the summary stated that "...the impacts...are believed to be short term and localized to the affected discharge area" and ..."that significant sediment movement from the site would not be expected". Both of these statements, once again, suggest some uncertainty as to what would come about as a result of said dumping.

You have also indicated in the report that the "...impacts to fisheries would be short term and localized to the affected discharge area." You later indicate that there would be temporary losses in terms of forage and habitat for fin fish and that lobsters in the affected area would perish. We are less concerned with fish than we are with human beings. We and our children swim in this water. Who knows what type of toxic materials are being dispersed in the water which may have an affect years from now on us and our offspring. You briefly mention the fact the other alternate sites were closed due to considerations mandated by the Clear Water Act of 1972. The obvious conclusion is that dumping is, in fact, harmful to the quality of the water in which we swim. No where in this report did I find any discussion of the impact on the people using the waters of the Long Island Sound.

We are strongly opposed to your proposal for dumping in the WLIS III area and feel that it should not be implemented.

Very truly yours,

  
Gregory J. Wist

  
Helen Wist

JAN 12 1982

GJW:el

# ACTION

FOR PRESERVATION AND CONSERVATION  
OF THE NORTH SHORE OF L. I., INC.

376-378 NEW YORK AVE., (516) 271-3029  
P. O. BOX 492, HUNTINGTON, L. I., N. Y. 11743

Area Coverage — The Townships of Oyster Bay, Huntington, Smithtown and Brookhaven

This is recycled paper

JANUARY 8, 1982

Re: Draft Environmental Impact Statement for the Designation of a Disposal Site for Dredged Material in Western Long Island Sound — WLIS III

ACTION for the Preservation and Conservation of the North Shore of Long Island has studied the DEIS for the Designation of a Disposal Site for Dredged Material in western Long Island Sound at WLIS III, and we wish to make the following comments:

1. In 1975 we opposed the dumping of 100,000 cu. yds. of dredge spoil from Milton Harbor, the upper end of Mamaroneck Harbor. In the material to be dumped at that time, the Army Corps listed cadmium, arsenic, lead, copper, zinc, chromium, mercury, and nickel in concentrates equal to and in some instances greater than those which had accumulated at Eaton's Neck as the result of earlier dumping. For instance the copper of the dredge spoil was three times greater than the copper found at Eaton's Neck (.150-.050) and the zinc was fifteen times greater (.200-.012). In the Corps statement the dredge spoil was "considered polluted if the test produces an elutriate in which the concentration of any constituent is more than 1.5 times the concentration of the same constituent in the water." \* It is now proposed to move the site of a dump one mile north to protect the Eaton's Neck waters because your engineer, Mr. Chris Linsay, stated that Eaton's Neck is "not suitable for a dredge-dumping operation." How can the waters and the silt of the new site be kept separate from the waters around Eaton's Neck? You propose to dump 81,000 cu. yds. from Mamaroneck Harbor, 30,000 cu. yds. from Mianus River and possibly 530,000 cu. yds. from Flushing Bay. \*\*\* There is no possible way to assure that such large amounts of evidently polluted spoil will not degrade the waters around Eaton's Neck.

2. There is no clear evidence that the heavy metals of the dredge spoil will not creep or flow towards the surrounding area which you call, "the most productive lobstering fishery in the entire Sound." (DEIS, p. 10). The DEIS Analyzes currently the sediment at Point 21 of map (Fig. 2) which is a point south of your proposed dump site near Huntington Harbor. "All metal levels were within Class I standards of the Interim Plan except chromium, mercury, copper, and nickel at Station 21 and copper and zinc at Station #B 3 (a point further to the north, p. 7). In 1975 the copper in Milton Harbor was .150

\* 18 APRIL 1975 NANOP-E Public Notice 8070 ATTACHMENT 1b

\*\* NEDOD-R 24 81-563

# ACTION

FOR PRESERVATION AND CONSERVATION  
OF THE NORTH SHORE OF L. I., INC.  
376-378 NEW YORK AVE., (516) 271-3029  
P. O. BOX 492, HUNTINGTON, L. I., N. Y. 11743

Area Coverage — The Townships of Oyster Bay, Huntington, Smithtown and Brookhaven

This is recycled paper

Re: WLIS - Page 2

and the zinc was .200. The dumping of such fill will further increase the copper concentrate at point 21 and the zinc at EB3. What proof is there that Milton Harbor is not included in plans for dredging Mamaroneck Harbor? And why has no examination of the contents of the dredge spoil been supplied with the DEIS?

3. It is evident that in order to fulfill the goal of this proposal that WLIS will become a permanent and continuous dumping site. In Section I you state "Over half of the harbors in Long Island Sound are located in the western basin.... Maintenance and improvements of these naturally shoaled waterways is necessary for the continued free access and socio-economic well-being of the region....The lack of a designated site in WLIS has led to a substantial backlog of permit applications and near closure of many recreational marinas....The cost of proposed dredging of Mamaroneck Harbor by 23 permittees would be cut in half if they were able to use the proposed site." There is every indication that the site will have continuous dumping by the permittees and future ones from other areas. In the list submitted, there seem to be fourteen individuals, six marina and beach clubs, and three governing agencies. There is, at present, a dumping site fifty miles east in central L.I. Sound available to these people. The problem is that the cost of transporting spoil to this site is higher than that needed to transport spoil to WLIS. While this organization can understand the concern of the permittees to reduce their costs by "up to 50% in several projects," (Summary, p. 2) we see no evidence that the danger of destroying the "most productive lobster fishery in the entire Sound" has been considered. The cost benefit to the 23 permittees should not be balanced against possible wide-spread damage to the economy of this region, as they are not being denied a dumping site.

4. The DEIS accepts the fact that the "discharge of dredged material would bury and for the most part destroy benthic organisms, demersal fish and lobsters which are within the discharge area. The loss of habitat and forage would be temporary and restricted to the affected discharge area." If all damage is predicated on the temporary destruction of the habitat, the Corps is assuming that the area will recover given a period of time to allow benthic organisms to regenerate. Yet "the substantial backlog of permit applications" and the number of harbors needing a dumping site make it evident this will be a permanent site in continual use during the warm months, and damage will not be "temporary," but permanent.

# ACTION

FOR PRESERVATION AND CONSERVATION  
OF THE NORTH SHORE OF L. I., INC.  
376-378 NEW YORK AVE., (516) 271-3029  
P. O. BOX 492, HUNTINGTON, L. I., N. Y. 11743

Area Coverage — The Townships of Oyster Bay, Huntington, Smithtown and Brookhaven

WLIS Page Three

5. Nowhere has the Army Corps of Engineers discussed the objections which initially prompted the closure of western Long Island Sound dump sites. What has changed to make what was originally environmentally objectionable now environmentally acceptable? The only change is the economic hardship to the permittees of a fifty-mile transportation fee.

There has been no attempt by the Corps to produce a long-term plan for all of Long Island Sound. Dredge spoil will continue to be produced and until the Corps produces a long-term plan for its disposal, it will continue to designate disposal sites based on the convenience to local businesses and boat owners rather than on an overall management plan based on fact. Its first priority should be a long-range plan.

To present us now with this proposal, for which, with all the Corps' years of review and experience, says only "the lack of any noticeable adverse impacts at the nearby Eaton's Neck disposal site... suggests a low probably (sic) of potential problems" (Summary, p 1) is folly and unfortunately reflects upon the Corps' attitude, not only towards us, the people who live on the Sound, but also towards your responsibility for protecting this vital resource.

ACTION for the Preservation and Conservation of the North Shore of Long Island, Inc. therefore continues to oppose the designation of a new dump site without a long-range over-all plan, designed to protect both the waters and the inhabitants of this area.

*Warren Kraft*  
Warren Kraft, President  
ACTION  
Box 492  
Huntington 11743 N Y

December 17, 1981

P24

C.E. Edgar III  
Lt. Colonel, Corps of Engineers  
Division Engineer  
Department of the Army  
New England District Corp. of Engineers  
424 Trapelo Road  
Waltham, Mass. 02154

Re: Draft Environmental Impact Statement - designation  
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The States of Connecticut and New York, as well as the Army Corps of Engineers early in 1981 reviewed the bioassay and other tests performed on the proposed Mamaroneck dredged materials and granted permits for the disposal of these spoils in Long Island Sound off New Haven. These agencies have deemed the disposal of such spoils in Long Island Sound to be acceptable environmentally and ecologically. Both the States of Connecticut and New York have indicated their approval of the issuing of permits for disposal of the Mamaroneck spoils at WLIS III when it is opened. The substantial dollar savings by disposal at WLIS III as opposed to New Haven will make the difference between many dredging projects in the Long Island Sound shore areas going forward or not.

We urge the speedy opening of the WLIS III disposal site. Any delay and/or denial would not be in the best interests of the WLIS Sound Shore Community and would seriously jeopardize their dredging projects and in turn the use of their waterfront facilities.

Sincerely,

*Ray Seutemann*  
Pres. MAMARONECK

343 East 30th Street  
New York, N.Y.  
December 23, 1981

C.E. Edgar III  
Lt. Colonel, Division Engineer, Corps of Engineers  
Department of the Army, New England District Corp. of Engineers  
424 Trapelo Road  
Waltham, MA 02154

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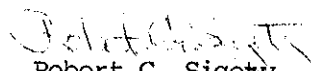
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I urge the speedy opening of the WLIS III disposal site. Any delay and/or denial would not be in the best interests of the WLIS Sound Shore Community and would seriously jeopardize their dredging projects and in turn the use of their waterfront facilities.

Sincerely,

  
Robert G. Sigety



632 Shore Acres Drive  
Mamaroneck, N.Y. 10543  
December 23, 1981

C.E. Edgar III  
Lt. Colonel, Division Engineer, Corps of Engineers  
Department of the Army, New England District Corp. of Engineers  
424 Trapelo Road  
Waltham, MA 02154

Re: Draft Environmental Impact Statement - designation of a disposal  
site for dredged materials for Western Long Island Sound - WLIS III

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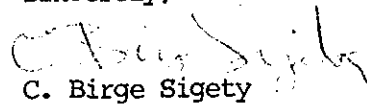
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Sincerely,

  
C. Birge Sigety

632 Shore Acres Drive  
Mamaroneck, N.Y. 10543  
December 23, 1981

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Department of the Army, New England District Corp. of Engineers  
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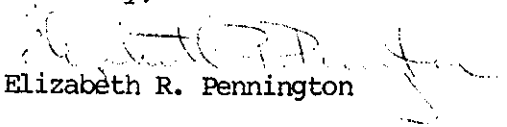
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Sincerely,

  
Elizabeth R. Pennington

250 East 87th Street  
New York, N.Y.  
December 23, 1981

C.E. Edgar III  
Lt. Colonel, Division Engineer, Corps of Engineers  
Department of the Army, New England District Corp. of Engineers  
424 Trapelo Road  
Waltham, MA 02154

Re: Draft Environmental Impact Statement - designation of a disposal  
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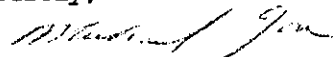
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Sincerely,



Mr. and Mrs. Michael Yon

343 East 30th Street  
New York, N.Y.  
December 23, 1981

C.E. Edgar III  
Lt. Colonel, Division Engineer, Corps of Engineers  
Department of the Army, New England District Corp. of Engineers  
424 Trapelo Road  
Waltham, MA 02154

Re: Draft Environmental Impact Statement - designation of a disposal  
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Sincerely,



Cornelius Sigety

585 Lawn Terrace  
Mamaroneck, NY 10543  
January 12, 1982

C. E. Edgar III, Lt. Col., Corps of Engineers  
Division Engineer, Dept. of the Army  
New England District Corp. of Engineers  
424 Trapelo Road  
Waltham, MA 02154

RE: Draft Environmental Impact Statement - Designation of a  
disposal site for dredged materials for Western Long  
Island Sound - WLIS III


Dear Lt. Col. Edgar:

The undersigned is writing in support of the Environmental Impact Statement regarding WLIS III.

It is my understanding that the Connecticut State Department of Environmental Protection proposed the site and that the New York State Department of Environmental Conservation has gone on record as favoring the opening of WLIS III. In addition, numerous national, state, and local elected representatives have gone on record as endorsing this site, both in writing and during testimony on the Public Notice and Public Hearing #24-81-563.

Early in 1981 the Army Corps of Engineers and the States of Connecticut and New York reviewed the bioassay and other tests performed on the proposed Mamaroneck dredged materials and granted permits for the disposal of these spoils in Long Island Sound off New Haven. These agencies have deemed the disposal of such spoils in Long Island Sound to be acceptable environmentally and ecologically. Both Connecticut and New York State have indicated their approval of the issuing of permits for disposal of the Mamaroneck spoils at WLIS III when it is opened. The substantial dollar savings by disposal at WLIS III as opposed to New Haven will make the difference between many dredging projects in the Long Island Sound shore areas going forward or not, particularly with the current economic recession.

Sincerely,

  
Jerry Shapiro

JS:lb

975 Louise Avenue  
Mamaroneck, New York 10543  
January 8, 1982

C.E. Edgar III  
Lt. Colonel, Corps of Engineers  
Division Engineer  
Department of the Army  
New England District Corp. of Engineers  
424 Trapelo Road  
Waltham, Mass. 02154

RE: Draft Environmental Impact Statement - designation  
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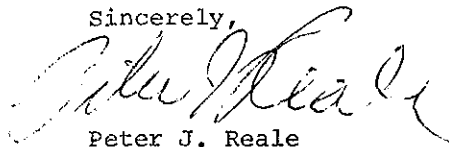
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We urge the speedy opening of the WLIS III disposal site. Any delay and/or denial would not be in the best interests of the WLIS Sound Shore Community and would seriously jeopardize their dredging projects and in turn the use of their waterfront facilities.

Sincerely,

A handwritten signature in cursive script, appearing to read "Peter J. Reale".

Peter J. Reale

PJR

December 17, 1981

C.E. Edgar III  
Lt. Colonel, Corps of Engineers  
Division Engineer  
Department of the Army  
New England District Corp. of Engineers  
424 Trapelo Road  
Waltham, Mass. 02154

Re: Draft Environmental Impact Statement - designation  
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Sincerely,



Imperial Yacht Club Inc  
583 Davenport Ave.  
New Rochelle NY 10801



77 Bayshore Drive  
Milford, Connecticut 06460  
January 15, 1982

U.S. Army Corps of Engineers  
New England Division  
Att: Mr. David Tomey  
424 Trapelo Road  
Waltham, Massachusetts 02254

Dear Mr. Tomey:

I have recently learned that the Corps is considering dumping large volumes of New York dredge spoil in a site off Norwalk, Connecticut. I understand that this proposed site is approximately 2 miles from Connecticut State leased clam and oyster grounds. No data exists which show that the spoil material will stay within the proposed site. According to Willis Pequegnat et al (Corp Publication, 1981) a dye study is required to determine spoil mobility. Your permit application makes no such provision. In addition, J. R. Schubel et al (Stony Brook, 1981) indicate that the reason deep holes exist in Long Island Sound is that scouring and high tidal energy prevent fines from settling in these locations. Thus, the site off Norwalk may not be a good location for spoil discharge, especially if the toxic spoil migrates to productive shellfish grounds. In my opinion the Corp needs to define the exact amount of spoil dumped at any one time, the bioassayed nature of the spoil, spoil movement during different seasons by dye tracer studies, and what long term effects the spoil may have on Connecticut shellfish grounds. Alternatives such as capping the spoil area with cellar dirt, sand or stone should be also considered, after bioassay reveals toxic components.

As a concerned citizen of Connecticut, I hope that careful consideration be given our natural resources. Rushing into large scale dumping projects, especially when alternative sites such as New York's Eton's Neck were too politically sensitive to be chosen, smells like a rotten fish for Connecticut citizens to swallow.

I am against this project unless you can show some hard data indicating that no spoil movement will occur.

Sincerely,



Walter J. Blogoslawski, Ph.D.



# THE LONG ISLAND SOUND TASKFORCE

## *of The Oceanic Society*

January 14, 1982

Colonel C.E. Edgar, III  
Division Engineer  
Corps of Engineers,  
New England Division  
424 Trapelo Road  
Waltham, MA 02154

Dear Colonel Edgar:

The following represents the comments of the Oceanic Society and the Long Island Sound Taskforce concerning the December 1981 Draft Environmental Impact Statement for the Designation of a Disposal Site for Dredged Material in Western Long Island Sound WLIS III.

At the outset, let it be made clear that we recognize the economic value of designating a disposal site in western Long Island Sound. The economic hardship placed on small dredging operations by the absence of a western LIS disposal site is obvious and has led to shoaling of many private projects. In many cases this economic burden has led to the loss of water dependent industry in favor of non-water dependent usage. It is the stated purpose of the Connecticut Coastal Area Management program (CAM) to give "highest priority" to water dependent usage of the coast. It comes as no surprise that the majority of urban water dependent uses for developed shorefront (as defined by CAM) require properly maintained navigation channels.

However, we do not support a western LIS disposal site without reservation. In addition to our statement at the public hearing in Norwalk, October 27, 1981, we have the following concerns with the Draft EIS on WLIS III.

The DEIS fails to examine the demand for WLIS III in terms of who will use the site; the quantity of material to be disposed of in the site; the time frame; and type of material to be disposed of (i.e., classification of material under Interim Plan guidelines.)

Colonel C.E. Edgar, III  
January 14, 1982  
Page two

The DEIS fails to present guidelines for use of the site. Apparently it has been agreed that no project west of Throg's Neck will be permitted to use this site, but this type of guideline information is absent from the DEIS.

It is readily apparent that the DEIS was hastily prepared. The obvious lack of proof-reading and the omission of the Oceanic Society and Long Island Sound Taskforce from the list of organizations receiving the DEIS are two examples of this haste.

It is the interest of the Society and the Taskforce to achieve a comprehensive dredge management plan for the entire Sound. Part of such a plan would be the designation of a western Long Island Sound site. In determining a site for designation, factors such as the lowered tidal exchange and high organic pollution input via the East River must be considered. These are just two factors in the unique chemical, physical, and biological make-up of western Long Island Sound. The WLIS III site can not be treated in the same terms as the Central LIS or New London disposal site.

We ask that the final EIS for WLIS III contain data on potential users, type and quantity of material, and guidelines for disposal operations. In addition, research should be initiated on the lobster fishery. Concerns such as rate of lobster recolonization of the disposal mound, and the extent of impact on the fishery from intermittent disposal operations should be undertaken at the site.

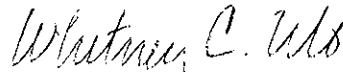
Finally, we call for the Corps to establish a "Steering Committee." This committee would be comprised of federal, state, and private representatives familiar with the dredging issue in Long Island Sound. The committee's purpose would be to utilize existing data and knowledge (i.e., NERBC Interim Plan, DPEIS, etc.) in the formulation of a Sound-wide dredge management plan. This Steering Committee could also advise the Corps of Engineers on individual projects, alternatives to open water disposal, and other aspects of future LIS dredging.

In our discussion with other individuals and government officials involved with dredged material disposal, we have found interest in this sort of cooperation. Public

Colonel C.E. Edgar, III  
January 14, 1982  
Page three

knowledge of the dredging issue remains extremely low while the demand for dredging and dredged material disposal continues. Maintenance of the status quo is not sufficient to deal with this issue. A new, integrated approach is necessary. The Oceanic Society and Long Island Sound Taskforce stand ready to help in this effort.

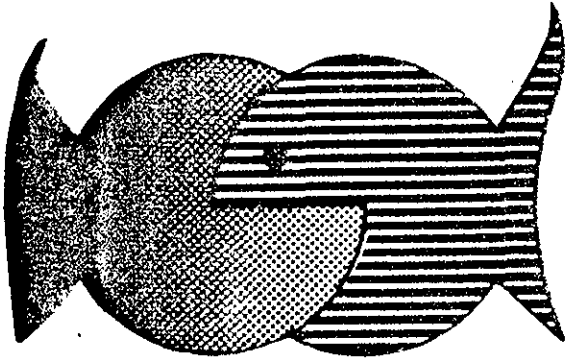
Respectfully Submitted,



Whitney C. Tilt  
Executive Director  
Long Island Sound Taskforce

cc: Dennis Cunningham, Connecticut DEP Water Resources  
Anthony Taormina, New York DEC, Stony Brook  
Stewart McKinney, U.S. Representative, 4th District,  
Connecticut

WCT:bas



## CONNECTICUT COMMERCIAL FISHERMEN'S ASSOCIATION

P.O. BOX 84, FAIRFIELD, CT 06430

January 14, 1982

C.E. Edgar III, Division Engineer  
New England Division  
U.S. ARMY CORPS OF ENGINEERS  
424 Trapelo Road  
Waltham, MA 02254

Dear Sir:

While the need for dredging of many harbors in Western Long Island Sound is becoming readily apparent, we of the Connecticut Commercial Fishermen's Association feel that the potential harmful effects of opening WLIS III as a dredge spoil disposal site far outweigh any ultimate benefits and that enough viable alternatives exist as to make this disposal site unnecessary.

The area designated as WLIS III itself is a productive lobstering and dragging ground during certain months of the year. While the Draft Environmental Impact Statement seems to consider fishing grounds as static regions, this is far from accurate. The movements of all commercial and recreational species are profoundly affected by water temperature, currents, siltation, the presence or absence of certain food organisms, and fishing effort in the area. As a result, no area is ever either "dead" or always productive. Fishing effort is concentrated in different areas at various times of the year, and if a certain place is productive as little as 2 months out of the year, its destruction will have a significant economic impact on commercial fishermen working the area. In addition, WLIS III is located immediately adjacent to some of the most consistently productive lobster grounds in this part of the Sound, recognized lobster breeding areas, and the only clear ground between Norwalk and Long Island where it is possible to tow a trawl net without its' hanging up and tearing frequently at great cost to the fisherman.

Bottom fish like the economically important flounder and scup will quickly avoid areas of heavy siltation. Draggers must already contend with closed areas extending from Buoy 11B and 32A all the way to City Island, and along various lines along the Connecticut shore. If one of the last good open dragging grounds is eliminated, it will no longer be economically viable to operate a dragger in Western Long Island Sound. For lobstermen, it will be necessary to steam further and set more gear to catch the same amount, increasing both overhead and fuel consumption to the point where the already-slim profit margin will be eliminated completely.

WLIS III is also located barely a mile from deepwater oyster holding beds off Norwalk. Extensive shellfish beds occur north and south of WLIS III in both Conn-

ecticut and New York coastal areas.

The Draft Environmental Impact Statement admits that any marine life in the immediate area where dumping occurs would be killed by the contaminant-laden harbor spoil material. The harbors most frequently cited as being top-priority for dredging, such as Mamaroneck, Byram, Stamford and Black Rock are among the most heavily polluted in the entire Western end of the Sound. These harbors have been heavily industrialized for many years, and any dredge material from them will contain high concentrations of heavy metals from the plating chemicals, oils and other industrial waste which were historically as well as recently allowed to drain into the harbors.

Besides the immediate consequences to marine life of dumping this highly contaminated dredge material on WLIS III, the strong possibility also exists that long-term bioaccumulation of heavy metals in particular could occur in lobsters exposed to the suspended sediment surrounding the disposal site. Lobsters caught in Long Island Sound must undergo routine analysis by the FDA for harmful chemicals and unacceptable metal concentrations. If even one lobster tested out above the acceptable levels of any of these, the resulting fishery closures and landing restrictions would completely shut down the Long Island Sound lobster industry with catastrophic economic consequences for the fishing industry in both Connecticut and Long Island's North Shore. We have seen it happen in exactly this manner with the mercury scare which crippled the New England swordfish and tuna fisheries in the early seventies.

The toxic content of the dredge spoil from these heavily industrialized harbors makes exposure to the material so dangerous that on the last Stamford dredging job, for example, OSHA required dredge operators and crews to wear Scott Air Packs while working. Nearly all of the top-priority harbors are this bad!

In the Draft Environmental Impact Statement the Corps of Engineers assumes that all of the contaminated material will be dumped precisely where specified and properly capped, keeping drift and spread of contaminants to a minimum. Unfortunately, the Corps does not sufficiently police dredging operations to enforce proper placement of the spoil. When the contracts are assigned, the money being invariably tight the lowest bidder takes the job, and very often these are dredge companies which operate on a shoestring and cut corners wherever possible to make a profit on the job. Short dumping, which is the failure to transport dredge spoil material to the designated disposal site, is a common and extremely destructive practice of these "fly-by-night" dredging contractors. The Connecticut Commercial Fishermen's Association can provide evidence of actual instances of short dumping on both the recent Norwalk and Stamford jobs, including eyewitness accounts of Corps of Engineers observers actually condoning the practice! When this contaminated material is just let go anywhere without regard for environmentally sound disposal areas and capping techniques, it is not unusual for a lobsterman to pull up a line of pots buried full of goeey, foul black mud, with any lobsters in the traps killed by the toxic sediment. Draggersmen find whole acres of bottom destroyed for fishing. Short dumping could be a major factor in statistics from State biologist Eric Smith, who reports that lobster catches in Western Long Island Sound have declined 40% since 1978.

Another incorrect evaluation in the Draft Environmental Impact Statement is the treatment of WLIS III as if this were a one-time-only dumping proposal. It is a fact that a dumping ground, once discontinued, will become reinhabited by marine life and will even attract more lobsters in particular than existed in the area

prior to the dumping. This natural regrowth into productive fishing ground can only begin to occur once dumping on the site has been discontinued for at least a year. By definition, WLIS III is a "Regional Dredged Material Disposal Site," meaning that any time a dredging project is done in Western Long Island Sound, the spoil will be dumped on this area. If each harbor in need of dredging in this area is done in turn, this dumping site will be in use each successive winter for as long as up to 10 years, which means just as soon as it is beginning to come back from the previous year's dumping, another layer will be thrown down to completely kill the area again. Far from being short-term, the consequences of this practice of repeated dumping would serve to permanently eliminate a once-productive ecosystem from Western Long Island Sound, with direct negative economic impact on the fishing industry.

We can propose two alternatives to the use of WLIS III, or any offshore dumping site, which are both economically viable and environmentally sound. The first of these is the landfill containment method, which has been extremely successful in the Delaware and Chesapeake areas of the Atlantic Intercoastal Waterway. It is a well-known fact that the Norwalk Islands, Bridgeport's Fayerweather Island, and numerous beach and shoreline areas are being eroded by the Sound at a rate exceeding 6 feet per year. By using the dredged material to build up these islands, much of the expense of transporting the dredge spoil to offshore dump sites could be eliminated, and at the same time we could reclaim our islands. This has been done successfully in New York Harbor, where Swinburne Island and Hoffman Island, near the Verrazano Narrows Bridge are built entirely of sanitary landfill material contained by riprap.

The second alternative to a repeatedly-used "Regional Disposal Site" is the designation of multiple disposal areas immediately offshore of each harbor to be dredged, which would be used for disposal of spoil from that harbor only, on a one-time basis. This would allow the marine life in the area to recover completely as mentioned earlier, without being repeatedly dumped on. Again, this would eliminate many of the transportation costs associated with "Regional" repeatedly-used offshore dump sites.

We would like to make several other points in reply to the Corps of Engineers' Environmental Impact Statement. While there was a hearing held in Norwalk, CT about the WLIS III proposal, it was so underpublicized that virtually no one who could possibly have objected to this proposal was notified. As a result there were no objections raised at the hearing. This is hardly an accurate sampling of the opinions of the majority of Connecticut people who use the Sound for commercial or sport fishing, or of our local environmental groups. As for the hearing on Long Island, we may be sure that no one in New York would object to dumping New York's dredge spoil on Connecticut! It is our opinion that if the spoil is from New York harbors, it should be disposed of in New York waters, west of Mamaroneck, for example.

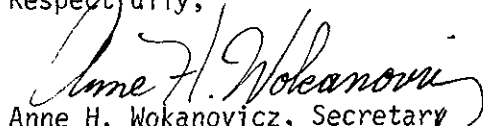
Finally, on Page 10 of the Draft Environmental Impact Statement, the Corps of Engineers states that "approximately 42% of the lobster catches in the entire Sound were landed in the Western Sound in Connecticut waters." On Page 11 is stated that "the fishing industry is not as prevalent in the Western part of the Sound as it is in the central and eastern areas and is not considered a major economic factor." 42% of the Sound's total landings is not considered an economic factor?! Perhaps

the Corps is attempting to minimize the extent of the flourishing lobster, drag and oyster fisheries in the Western Sound because the effect of the opening of WLIS III would be even more damaging to the Connecticut fishing industry than present studies show.

Managed properly, Long Island Sound's fisheries can be a fabulously rich renewable resource for many years to come. The Connecticut Commercial Fishermen's Association, representing the commercial fishing industry of the State of Connecticut, hereby strongly urges the U.S. Army Corps of Engineers to reconsider alternatives to the opening of dredge spoil disposal sites like WLIS III.

The Association would be interested in any reply to this letter the Corps is willing to make, and to keep the lines of communication open for any discussion of alternative ideas regarding this matter and others in the future.

Respectfully,

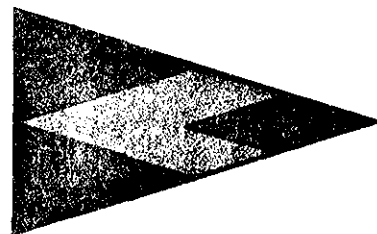


Anne H. Wokanovicz, Secretary  
CONNECTICUT COMMERCIAL FISHERMEN'S ASSOCIATION  
(Chris Stapelfeldt, President)



**MASTHEAD COVE YACHT CLUB, INC.**

P.O. BOX 433  
HUNTINGTON, N. Y. 11743



11 January 1982

Division Engineer  
U. S. Army Corps of Engineers  
New England Division  
424 Trapelo Road  
Waltham, MA. 02254

Subject: Comments on "Draft Environmental Impact Statement for the Designation of a Disposal Site for Dredged Material in Western Long Island Sound, WLIS III. December, 1981".

Gentlemen:

On behalf of the 100 sailing families in our Club who have a sincere interest in the enjoyment of Long Island Sound, and who have been helping it struggle back to health over these many years, I wish to express our utter dismay upon learning of your impending approval of the designation of yet another dumping site in our backyard.

Although the subject report does acknowledge that aquatic life would be destroyed in the dumping area, it fails to demonstrate clearly that the environmental impact would be acceptable on any quantitative basis. In fact the report contains numerous contradictions, blatant untruths, and subjective, unsupported, opinionated statements which grossly mislead the reader, "officialdom", and the public. The report is a whitewash of the facts, and places private economic interests and financial gain ahead of Clean Water Acts. We, the users of these waters, end up as the losers because you would permit such misleading statements to pass as an "Environmental Impact Statement", and in reality encourage the destruction of a large piece of Long Island Sound through this cover-up.

Here are just a few examples of the report's misleading discussion:

Page 18:

"Any lobsters within the .04 square mile impact area during operations would perish". Sir, the WLIS III proposed in your report is over 2 square miles in size, and we all know that the dredged poisons are likely to be dumped anywhere inside, and frequently outside, of that area. Who is naive enough to believe that private dredging crews would really care about hitting such a tiny spot when they could legally come within a country mile of your expected .04 square mile impact area.

Page 23:

Relative to the public hearings: "Strong interest was demonstrated by both opponents and proponents at these meetings". How can anyone with a clear conscience make such an untrue statement? The townspeople of Huntington, including our Town Supervisor overwhelmingly opposed the capricious selection of sites and the dumping of spoil anywhere in our public waterways and prime recreational areas. You should be congratulated as an impartial governmental agency for making it appear as though this volatile issue was a draw!

Concern No. 3 of the Summary:

"The impacts on water quality would be temporary and restricted to the affected discharge area. To insure this, the dredged material will have approval for open water disposal by the various appropriate State and Federal Agencies". What is "temporary" -- only a few years?? What is the "affected discharge area" -- the few square miles surrounding that microscopic .04 square-mile target area?? How does some disinterested party's approval of the spoil content insure that the killing of all aquatic life in the dump area would be temporary and occur only in that .04 square mile pinpoint?? How can you, in clear conscience, believe that Long Island Sound is "open water", when both N.Y. and Connecticut have declared it a closed body of water and rendering it illegal for boaters to discharge untreated human waste anywhere in Long Island Sound, regardless of any 3-mile limit? Is your dredged material less toxic than untreated human waste?? The approval for "open water disposal" is to be given to the dredging companies by the same agencies who believe it illegal and environmentally impure for the Sunday sailors to urinate in these same waters?? Incredible!!

Par. D of Summary, Unresolved Issues:

"Most of the harbors are situated on the western end and opposition of the Huntington community and vicinity to any disposal in their area". Just what does this "sentence" mean?? Is the "opposition of the Huntington community" the same as "strong interest was demonstrated by both opponents and proponents at these meetings". Sir, you and your people know that the environmentally concerned people of Huntington and Connecticut are strongly opposed to this debacle; you just said it; and it contradicts your public hearings results on page 23!

Page 1, Par. A:

"The proposed site will service the ports and harbors within the Western Long Island Sound area as shown in Figure 1". This figure conveniently omits labelling Mamaroneck, Flushing, Little Neck, Whitestone, City Island, Rye, etc., although the area shown goes all the way to the Whitestone Bridge. Are you trying to imply that because these harbors are not labelled on Figure 1 we will not be getting their dredgings?? Come now, Sir, the pollution level of the waters in Flushing and Whitestone is perhaps the worst in the world (but maybe a bit cleaner than the Gowanus Canal or the Raritan River). Misleading by omission is very unprofessional.

Page 4, Par. E:

"The remaining eight historical sites (nos. 6-13) were closed to dumping in 1973 as a result of coordination between State and Federal agencies subsequent to consideration mandated by the Clean Water Act of 1972". But now you wish to open a new site in the midst of the outlawed sites. Have you repealed the Clean Water Act??

Or must we research the potential violations of the rights of the citizens bordering on this area to be protected from having poisons dumped in their clean water? Do we need a court injunction for a clear violation of the Clean Water Act of 1972??

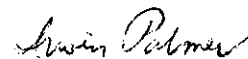
Final Comment:

Your report has exhaustively examined several spots for disposal, studied the bottom composition and aquatic life in great detail, studied the tidal currents, and seems to be adequate for describing the health of the drop zones before the dumping begins. But how can you forecast the resulting damage without knowing in equal detail the composition and tonnage of spoil you expect to dump here?? Nowhere in your report do you present the gory details of the make-up of the contaminants nor the expected volume per year. How can anyone draw an intelligent conclusion as to an environmental impact when 2/3 of the equation is omitted. There's a world of difference between a cupful per year and a billion cubic yards per day! Why have you conveniently omitted telling the public just what chemical hazards are likely to end up in our bluefish, our stripped bass, our clams, our lobsters, etc. Tell us about the PCB's, mercury, toxins of all kinds, non-biodegradable chemicals and the unidentifiable industrial wastes that you would perhaps rather not, and did not, mention in this report.

As the average person does not need this report's detailed economic analysis to prove that it is cheaper to drop the spoil 30 miles short, then why must this Environmental Impact Statement even concern itself with the economics? How can you compare dollars saved to so much poisoned water and conclude that it is OK? By whose standard? Neither your biologists nor your financial experts can make that judgement.

Since this proposal would constitute a destruction of our precious environment, we must ask you to disapprove the designation of any more dumping sites, especially in the choked-up Western end of Long Island Sound, and that the minimum-impact concept of upland or ashore disposal be vigorously pursued.

Respectfully,



---

Irwin Palmer, Commodore

cc: Commanding Officer  
U.S. Army Corps of Engineers  
New England Division  
Waltham, MA. 02254

Director  
Environmental Protection Agency  
Washington, D.C.

# SAVE OUR STRIPERS INC.

P.O. BOX 116

MASSAPEQUA PARK, N. Y. 11762  
(516) 541-8676

January 13, 1982

Army Corps of Engineers  
New England Division  
Waltham, Mass. 02254

Gentlemen:

SAVE OUR STRIPERS, representing some 8,000 recreational saltwater fishermen, wishes to register its strong opposition to the Corps' proposal to dump contaminated dredge material at the newly selected WLIS III site. To attempt to do so without benefit of a public hearing is totally unacceptable.

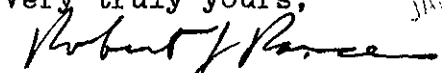
Each time a new dump site is selected, a hearing must be held to permit public input and questions concerning impact on the biota and human activities in the area.

The selection of WLIS III would move the dumping further west into a more confined and more sensitive section of Long Island Sound. The proposed location is just north of Lloyd Point and Cumsett State Park, a prime and popular recreational fishing area.

One particular aspect not covered by the Draft Environmental Impact Statement is the transfer up the food chain to such recreationally important finfish species as bluefish, striped bass and weakfish, of PCBs, heavy metals, arsenic and petroleum residues, all toxic.

SAVE OUR STRIPERS insists that a public hearing be conducted.

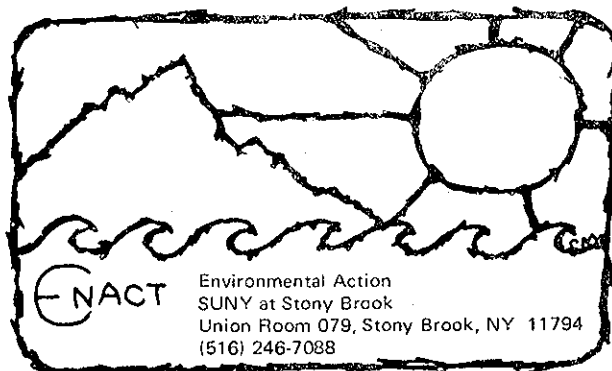
Very truly yours,



Robert J. Rance, Pres.

JAN 13 1982

cc: U.S. Sen. Alphonse D'Amato  
U.S. Sen. Daniel Moynihan  
Rep. William Carney  
N.Y.S. Sen. Owen Johnson



January 14, 1982

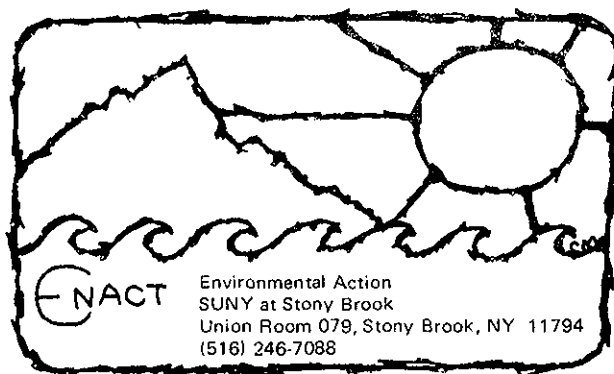
C. E. Edgar, III  
Colonel, Corps of Engineers  
Division Engineer  
Department of the Army  
New England Division, Corps of Engineers  
424 Trapelo Road  
Waltham, Mass 02254

Sir,

I am writing in behalf of ENACT concerning the Draft Environmental Impact Statement for the Designation of a Disposal Site for Dredged Material in Western Long Island Sound. ENACT is an environmental group that is located at the State University of New York at Stony Brook and has been funded by undergraduate students for the last 12 years. Most Stony Brook students and an overwhelming majority of ENACT members are Long Island residents. It is because of this fact that we take particular interest in any dumping that would affect Long Island Sound.

We feel the Corps of Engineers should choose the 'No Action' alternative. Although it might cause some financial hardship to marina owners, Dumping of Dredge spoil should be contained at the New Haven site, and any western site should be abandoned. The WLIS III site would have an unacceptable adverse affect on Lobster and Finfish fisheries and on wildlife. The marine life would become contaminated from the toxics in the dredged material. The Benthos would undergo "short term bioaccumulation of release contaminants." Unfortunately, this group occupies a lower place on the food chain, which means the concentration of contaminants in other organisms that prey on Benthos would be higher. This in turn means that a likely adverse affect on wildlife, including one on human food production, would occur. There can be no successful dilution of contaminants, because there is a trend in marine organisms to concentrate and carry toxic substances. The bioaccumulation cannot be "short term", because it will be passed throughout the food chain; another reason it is not short term is the fact that the mound formed would remain in Long Island Sound, and there must be a long term low level contamination that would occur and that probably occurs now at the New Haven site.

In addition, ENACT feels the use of any of the eastern areas of Long Island Sound are also unacceptable. This too will damage the Long Island Sound ecosystem. If the dredge material was not polluted, there would be little problem finding and using a local dumpsite. The burden of cost to cart contaminated dredge spoils should be shifted away from the marina owners and the taxpayers and toward those who pollute. The Army Corps of Engineers together with the Environmental Protection Agency should work out a long term plan to prevent such pollution.



The presence of heavy metals, petrochemicals and their derivatives, and other toxics in our waters cannot be tolerated in any quantities above natural amounts.

As a concerned organization, ENACT would like to see no useage of WLIS III. We would also like to see standards that would limit pollution caused by boats, industry, and waste. Pollution is not something that can be cured or hidden at the bottom of an ocean; it must be prevented. The contaminants will remain in the Long Island Sound and slowly disperse into the ecosystem over a long period of time. This must have a harmful effect on the ecosystem.

I hope you act favorably, and I thank you for your attention.

sincerely,

*David Ruderman*  
David Ruderman  
Project Coordinator  
ENACT



NORTH FORK ENVIRONMENTAL COUNCIL, INC.

Box 311, Southold, New York 11971

January 12, 1982

Re: NEDPL-I  
WLIS III

Dept of the Army  
New England Division, Corps of Engineers  
424 Trapelo Road  
Waltham, Mass. 02254  
Colonel C.E. Edgar, Division Engineer

Dear Colonel Edgar,

The North Fork Environmental Council has read and reviewed the Draft Environmental Impact Statement for the proposed WLIS III and wishes to make the following comments:

1. More dumping in Long Island Sound cannot be tolerated. After years of dumping in the Sound there came a time when many of these sites were closed and now the proposal is to open another one. According to your office this site is to be used for a period of time to be determined by capacity. And, then what?

At this time more than one half of the shellfish beds of the Atlantic complex are closed to shellfishing as a result of oil, pesticides and sewage contamination. In addition to the loss of food, there is the loss of millions of dollars to the economy. Should not the protection of our natural resources be the prime responsibility of the Corps? The cost factor of longer transport of spoil can not be equated with the loss of food.

2. The scientific facts as presented in the Draft EIS do not lend themselves to credibility. Studies in the late 1960's to early 1970's are not viable for today's use. The largest loss of land to urban sprawl and development, according to the U.S. Soil Conservation came in the period of time between 1967 to 1977, a loss in New York State of 810,000 ac. Much of this sprawl is in the area of WLIS III. Therefore facts procured in the 60's and 70's would seem obsolete. Also, there are contradictions, ie, Saila et al, 1968, stated that suspended solids can be toxic to lobsters while Peddicord and Mc Farland, 1978 dispute this and yet Smith, 1977 observed that lobsters captured west of

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NORTH FORK ENVIRONMENTAL COUNCIL, INC.

Box 311, Southold, New York 11971

pg.2

Norwalk carried less than  $\frac{1}{4}$  the normal complement of eggs compared with lobsters from the eastern part of the Sound. These contradictions convince us that there is a great need for additional research before anyone can form a firm and conclusive theory.

The sea's were man's first cesspool and sewage treatment plant. However it can not support it's self purification indefinitely. Long Island Sound is a valuable resource and it has been used as a cesspool for too many years. We strongly urge that this proposal be denied.

Sincerely,

Ruth Oliva, Pres. NFEC



December 17, 1981

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C.E. Edgar III  
Lt. Colonel, Corps of Engineers  
Division Engineer  
Department of the Army  
New England District Corp. of Engineers  
424 Trapelo Road  
Waltham, Mass. 02154

Re: Draft Environmental Impact Statement - designation  
of a disposal site for dredged materials for Western  
Long Island Sound - WLIS III

Dear Lt. Col. Edgar:

The undersigned is writing in support of the Environmental Impact Statement regarding WLIS III.

The Connecticut State Department of Environmental Protection, who proposed the site, and the New York State Department of Environmental Conservation has gone on record as favoring the opening of WLIS III. Commissioner Pac of the Connecticut Department of Environmental Protection wrote that "...WLIS III provides a practicable disposal option for materials judged suitable for open-water disposal... would not impact existing lobster resources...is far removed from lobster and oyster grounds and will not conflict with other known uses of the area...and would increase the areas holding capacity for lobsters and finfish by improving the habitat diversity of the otherwise featureless muddy bottom."

Numerous national, state and local elected representatives have gone on record as endorsing this site, both in writing and during testimony on the Public Notice and Public Hearing #24-81-563.

The need for an environmentally safe disposal site in Western Long Island Sound has reached critical proportions. The harbors and waterfront areas of lower Connecticut, Westchester County and nearby Long Island desperately need dredging to maintain and foster current and future recreational and commercial needs. The Mamaroneck projects are an example of some of the needs which must be satisfied economically as well as environmentally.

The States of Connecticut and New York, as well as the Army Corps of Engineers early in 1981 reviewed the bioassay and other tests performed on the proposed Mamaroneck dredged materials and granted permits for the disposal of these spoils in Long Island Sound off New Haven. These agencies have deemed the disposal of such spoils in Long Island Sound to be acceptable environmentally and ecologically. Both the States of Connecticut and New York have indicated their approval of the issuing of permits for disposal of the Mamaroneck spoils at WLIS III when it is opened. The substantial dollar savings by disposal at WLIS III as opposed to New Haven will make the difference between many dredging projects in the Long Island Sound shore areas going forward or not.

We urge the speedy opening of the WLIS III disposal site. Any delay and/or denial would not be in the best interests of the WLIS Sound Shore Community and would seriously jeopardize their dredging projects and in turn the use of their waterfront facilities.

Sincerely, *Peter D. Gahlasch*

ECHO BAY BOAT YARD INC.  
BOX 1011  
NEW ROCHELLE, N.Y. 10801

Long Island Oyster Farms, Inc.  
P.O. Box AD  
Greenport, NY 11944  
Tel 516 477 0195

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January 15, 1982

U. S. Army Corps of Engineers  
New England Division  
424 Trapelo Road  
Waltham, Massachusetts 02254

Attention: Mr. David Tomey

Gentlemen:

Eastern Long Island Sound from the Bayville, New York-Stamford, Connecticut, line supports a large portion of the shellfish production in the northeast region. The waters of Long Island Sound provide the basic environment for natural oyster production and the commercial oyster hatcheries in this area. These waters are critical to the survival of our company and others in the oyster business.

We believe our records indicate that dredging and the resulting deposits are often lethal to oyster larvae. We feel this is the accepted professional biological option. Oyster larvae are extremely sensitive to small amounts of silt and other toxic substances, i.e., chemicals, heavy metals, etc.

Our philosophy is to cooperate with the environment so that survival of oysters will be as high as possible. Cooperation with the environment is suggested on this project.

- 2 -

January 15, 1982

Our recommendation is to consider keeping the spoil from Long Island Sound areas that are west of the Bayville, New York - Stamford, Connecticut line in that same western area so that the contaminated material will do no further damage to the productive environment in Long Island Sound, but will remain in historically non-productive areas. In other words, no new areas will be involved.

Please feel free to contact us if there are further questions.

Very truly yours,

LONG ISLAND OYSTER FARMS, INC.

*John F. Mulhall*  
John F. Mulhall  
President

JFM/arb

Jim Mulholland

page 1 of 24

Bachelor of Marine Science, concentrated in Marine Biology, Southampton College, Southampton, N.Y.  
83 Peterborough Drive, Northport, New York 11768

To the Division Engineer

U.S. Army Engineers Division

New England Division

Waltham, Ma. 02254

Concerning the designation of a disposal site for dredged material in  
Western Long Island Sound - WLIS III, Connecticut and New York.

Sir:

Section 403 of the Clean Water Act, the last clause states  
that if the effects of any pollutants are not known, or if a reasonable  
judgement of such effects cannot be made, then no permit may be issued.

The Ocean Dumping Act states that the dumping "will not unreasonably  
degrade or endanger human health, welfare, or amenities or the marine  
environment, ecological systems, or economic potentialities."

The congressional policy is if there is a doubt don't dump.  
In the following statement I will raise more than a reasonable doubt  
about the proposed dumping in the Long Island Sound.

How can your (the Army Corps of Engineers) benthic studies  
indicate [see Summary of DEIS paragraph 4, line 9] that the bioaccumulation of  
contaminants for some resources in the dump area is coincidental with  
the contaminants released in the water column. It is obvious that the  
dumping is responsible. Also, you cannot prove this accumulation is  
only short term. Especially when the opposite can be proven true.  
Every action has a reaction. When contaminants are released into an  
environment the original concentration of those substances increases.

Ex. contaminants are added at half of the original background  
levels. Although these are below background levels the 'new' background  
level is one and one-half times the original level. This 'new' concentration  
may not be able to kill finfish and shellfish, but it will effect their  
homeostasis (the tendency towards a stable state of equilibrium between  
(over)

interrelated physiological and behavioral [psychological and social] factors characteristic of an individual or group). The contaminants disturb a delicate biochemical equilibrium, the cellular 'controls' of an individual organism or a species development and reproduction, behavior and response mechanisms, and determines how a population as a whole fares against its natural competitors. The lobster (*H. americanus*) is a commercially important shellfish which has received much scientific attention, thus it is a good example. Your own studies show how the lobsters fecundity (the ability to produce young) decreases proportionally with the distance to the city of N.Y. and its industrial and municipal contamination, the same contamination you plan to transport here.

Velle Atema states in The Effects of Oil on Lobsters (Oceanus pp 68, Vol 20, No 4, Fall 1977. WHOI, Woods Hole Mass.) that at exposure to hydrocarbon levels of 1 to 10 parts per million lobsters totally ignore each other just as they ignore food in feeding experiments. "Two Typical 'Oiled' postures are... one lies listlessly flat with streached claws and limp legs, occasionally twitching its legs or body. The other stand is a spider-like position, tail tucked and high on his legs, claws held close to the body, repeatedly attacking imaginary objects or running into walls. Both animals would be defenseless against attack or predation." Of course these effects are less severe at lower concentrations but they still exist. Other shellfish and benthic finfish will be affected in a similar way.

You plan to dump this polluted sediment within 5-10 nautical miles of one of the most productive reefs in the Sound, saying that the sediment and its contaminants will stay where they are dumped. The DEIS shows a station that had not been dumped on by any previous disposal operation that has concentrations of chromium, mercury, copper and nickel not within class I standards of the interim plan. I would bet that these levels reflect the metal contaminants of the spoils dumped a few years ago at the central L.I.S. site, and proving it would not be hard, just costly.

220 cubic yards of spoils will go into the water column at minimum according to the DEIS. The spoils would be transported by estuarine currents (caused by the dense saline bottom water mixing with less dense,

less saline surface water which originates near shore) up the sound (west) and towards shore. As a diver I can state that soon after dumping at the central L.I.S. dump site started clouds of silt invaded my Loyds Neck, Eatons Neck and Asheroken dive sites. The silt turned 8 to 15 foot of visibility (1973) into 1 to 5 foot visibility (1979+1980). The silt smothers the marine life and covers everything except mobile life forms. The silt causes the more delicate marine life to perish, and other "clean water fish" to abandon the area. Astrangia danae, the local coral is not to be found off Loyds Neck anymore. The silt reduced the sunlight, which caused their food to decrease and they starved. Large schools of porgies (Stenotomus chrysops) have left the area because their gills cannot stand the physical damage the silt causes. Blowfish are gone from the area altogether. The sport fishery in the Sound equals and probably exceeds the commercial fishery in both monetary and man-power terms, why do you ignore it? Silt takes months to years to settle out. It can destroy fisheries. Clams and Oysters slow and stop feeding when the silt gets too heavy. What are people who rely on these and other marine resources to do when these already stressed populations decrease.

Current monitoring techniques and standard bioassay monitoring techniques cannot show year to year population decreases as possible effects because these potential effects would be within natural population fluctuations and thus labelled coincidental. The three underlined terms are red tape words used to cloud the issue rather than explain it clearly, especially to those unfamiliar with the situation. The dumping will have an effect on the marine organisms and the sediment will be transported with the currents towards shore, it is all a matter of how much and for how long. Accepted monitoring techniques can not detect these causes and the Corps is quick to dispose of contaminated spoils as cheaply as possible while ignoring the risks. While keeping ready the excuse made infamous by Hooker Chem. Co., 'well, we didn't think it would happen.' Didn't think is the important part of that line, as in negligence.

The Corps is giving a greater benefit to a few businessmen and private interests at a cost to the Huntington + adjoining communities yet to be realized. Complex poisons work in complex ways. You are placing the local industries

that rely on the marine environment in jeopardy so merchants elsewhere can make more profit at less expense. The commercial and sport fisheries of L.I.S. are already greatly stressed by the demand on them alone. What if your actions provide the 'last straw' and these million dollar fisheries crash.

Let the people of Mamaroneck and others who want their harbors dredged pay the price to dispose of their spoils properly. The communities around the proposed dump sites should not be forced to.

Last of all, Long Island Sound is not open water. It should be treated as a semi-enclosed estuary, which is exactly what it is. The dumping violates the Clean Water and the Open Ocean dumping Acts in their most basic form. The Sound is not open water, which is where the spoils should be dumped. Try the N.Y. Bight or better yet, how about off the continental shelf. —————